Deuteronomy in the Pentateuch, Hexateuch, and the Deuteronomistic History

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Abbreviations

AASF	Annales Academiae scientiarum fennicae
AB	Anchor Bible
ABG	Arbeiten zur Bibel und ihrer Geschichte
Ahw	*Akkadisches Handwörterbuch.* W. von Soden. 3 vols. Wiesbaden, 1965–1981
AOAT	Alter Orient und Altes Testament
AS	Assyriological Studies
ASOR	American Schools of Oriental Research
ATANT	Abhandlungen zur Theologie des Alten und Neuen Testaments
ATD	Das Alte Testament Deutsch
ATD.A	Das Alte Testament Deutsch. Apokryphen
AYBRL	Anchor Yale Bible Reference Library
BASOR	*Bulletin of the American Schools of Oriental Research*
BBB	Bonner biblische Beiträge
BDB	Brown, F., S.R. Driver, and C.A. Briggs. *A Hebrew and English Lexicon of the Old Testament.* Oxford, 1907
BE	Biblische Enzyklopädie
BEATAJ	Beiträge zur Erforschung des Alten Testaments und des antiken Judentums
BET	Beiträge zur biblischen Exegese und Theologie
BETL	Bibliotheca ephemeridum theologicarum lovaniensium
Bib	*Biblica*
BibInt	Biblical Interpretation
BJS	Brown Judaic Studies
BKAT	Biblischer Kommentar, Altes Testament
BN	*Biblische Notizen*
BR	*Biblical Research*
BTSt	Biblisch-theologische Studien
BWANT	Beiträge zur Wissenschaft vom Alten und Neuen Testament
BZ	*Biblische Zeitschrift*
BZAR	Beihefte zur Zeitschrift für altorientalische und biblische Rechtsgeschichte
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CBQ	*Catholic Biblical Quarterly*
ConBOT	Coniectanea biblica: Old Testament Series
COS	*The Context of Scripture.* Edited by W.W. Hallo. 3 vols. Leiden, 1997–2002
DJD	Discoveries in the Judaean Desert

DNWSI	*Dictionary of the North-West Semitic Inscriptions*. J. Hoftijzer and K. Jongeling. 2 vols. Leiden, 1995
EdF	Erträge der Forschung
EHS.T	Europäische Hochschulschriften. Reihe XXIII, Theologie
EncJud	*Encyclopaedia Judaica*. 16 vols. Jerusalem, 1972
ETR	*Etudes théologiques et religieuses*
FAT	Forschungen zum Alten Testament
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
GTA	Göttinger theologische Arbeiten
HALAT	Koehler, L., W. Baumgartner, and J.J. Stamm. *Hebräisches und aramäisches Lexikon zum Alten Testament.* Fascicles 1–5, 1967–1995
HALOT	Koehler, L., W. Baumgartner, and J.J. Stamm. *The Hebrew and Aramaic Lexicon of the Old Testament*. Translated and edited under the supervision of M.E.J. Richardson. 4 vols. Leiden, 1994–1999
HAR	*Hebrew Annual Review*
HAT	Handbuch zum Alten Testament
HKAT	Handkommentar zum Alten Testament
HSAT	Das Heilige Schrift des Alten Testaments
HSM	Harvard Semitic Monographs
HSS	Harvard Semitic Studies
HTKAT	Herders Theologischer Kommentar zum Alten Testament
HTR	*Harvard Theological Review*
HUCA	*Hebrew Union College Annual*
ICC	International Critical Commentary
JANER	*Journal of Ancient Near Eastern Religions*
JBL	*Journal of Biblical Literature*
JHS	*Journal of Hebrew Scriptures*
JNES	*Journal of Near Eastern Studies*
JNSL	*Journal of Northwest Semitic Languages*
JPSTC	Jewish Publication Society Torah Commentary
JSJSup	Journal for the Study of Judaism: Supplement Series
JSOT	*Journal for the Study of the Old Testament*
JSOTSup	Journal for the Study of the Old Testament: Supplement Series
JSS	*Journal of Semitic Studies*
KHC	Kurzer Hand-Commentar zum Alten Testament
MdB	Le Monde de la Bible
NCB	New Century Bible
NEB.AT	Neue Echter Bibel. Altes Testament
NSK.AT	Neuer Stuttgarter Kommentar. Altes Testament
OBO	Orbis biblicus et orientalis
ÖBS	Österreichische biblische Studien
OTL	Old Testament Library
OTS	Old Testament Studies
OtSt	Oudtestamentische Studiën
PFES	Publications of the Finnish Exegetical Society
QD	Quaestiones disputatae
RB	*Revue biblique*

RGG	*Religion in Geschichte und Gegenwart: Handwörterbuch für Theologie und Religionswissenschaft*. Edited by H.D. Betz *et al*. 4th edition. Tübingen: Mohr Siebeck, 1998–
RIME	The Royal Inscriptions of Mesopotamia, Early Periods
SAAS	State Archives of Assyria Studies
SBAB	Stuttgarter biblische Aufsatzbände
SBLMS	Society of Biblical Literature Monograph Series
SBS	Stuttgarter Bibelstudien
SBT	Studies in Biblical Theology
SBTS	Sources for Biblical and Theological Study
SHCANE	Studies in the History and Culture of the Ancient Near East
SJOT	*Scandinavian Journal of the Old Testament*
SKG.G	Schriften der Königsberger Gelehrten Gesellschaft. Geisteswissenschaftliche Klasse
SR	*Studies in Religion*
TB	Theologische Bücherei: Neudrucke und Berichte aus dem 20. Jahrhundert
TDOT	*Theological Dictionary of the Old Testament*. Edited by G.J. Botterweck and H. Ringgren. Translated by J.T. Willis, G.W. Bromiley, and D.E. Green. 15 vols. Grand Rapids, Mich., 1974–
ThPh	*Theologie und Philosophie*
ThWAT	*Theologisches Wörterbuch zum Alten Testament*. Edited by G.J. Botterweck and H. Ringgren. Stuttgart, 1970–
Transeu	*Transeuphratène*
TRu	*Theologische Rundschau*
TSK	*Theologische Studien und Kritiken*
TThSt	Trierer theologische Studien
UTB	Uni-Taschen-Bücher
VF	*Verkündigung und Forschung*
VT	*Vetus Testamentum*
VTSup	Vetus Testamentum: Supplement Series
VWGTh	Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie
WBC	Word Biblical Commentary
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
ZAR	*Zeitschrift für altorientalische und biblische Rechtsgeschichte*
ZAW	*Zeitschrift für die alttestamentliche Wissenschaft*
ZBK	Zürcher Bibelkommentare
ZTK	*Zeitschrift für Theologie und Kirche*

Introduction

Raymond F. Person, Jr. and Konrad Schmid

Since Wilhelm Martin Leberecht de Wette's *Dissertatio critica*,[1] Deuteronomy has been the major historical anchor for the analysis of both the Pentateuch and the Former Prophets. Dating Deuteronomy's first edition to the Josianic period is still the option most often chosen by scholars, although some recent discussion has included the option for exilic dating,[2] taking up a classical dispute from the beginning of the twentieth century.[3] Either way, Deuteronomy still serves as one of the most important reference points for the dating of biblical texts with regard to the following question: Do the Pentateuch and Former Prophets, or parts thereof, presuppose Deuteronomy's program of cult centralization or not?

In addition, Deuteronomy has significantly influenced much of later biblical literature. Since Noth's inauguration of a "Deuteronomistic History" in Deuteronomy–Kings, biblical scholarship has recognized that the theology and language of Deuteronomy had a special impact on the books of the Former Prophets, Joshua–Kings. The assumption of a close redactional link be-

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[1] See the text and comments in H.-P. MATHYS, "Wilhelm Martin Leberecht de Wettes Dissertatio critico-exegetica von 1805," in *Biblische Theologie und historisches Denken: Wissenschaftsgeschichtliche Studien aus Anlass der 50. Wiederkehr der Basler Promotion von R. Smend* (ed. M. Kessler and M. Wallraff; Basel: Schwabe, 2008), 171–211.

[2] R.G. KRATZ, *The Composition of the Narrative Books of the Old Testament* (trans. J. Bowden; London: T&T Clark, 2005), 114–133; trans. of *Die Komposition der erzählenden Bücher des Alten Testaments* (UBT 2157; Göttingen: Vandenhoeck & Ruprecht, 2000), 118–138; J. PAKKALA, "The Date of the Oldest Edition of Deuteronomy," *ZAW* 121 (2009), 388–401; N. MACDONALD, "Issues in the Dating of Deuteronomy: A Response to Juha Pakkala," *ZAW* 122 (2010), 431–435; J. PAKKALA, "The Dating of Deuteronomy: A Response to Nathan MacDonald," *ZAW* 123 (2011), 431–436. See also the discussion in P. ALTMANN, *Festive Meals in Ancient Israel: Deuteronomy's Identity Politics in Their Ancient Near Eastern Context* (BZAW 424; Berlin: de Gruyter, 2011), 5–36.

[3] See W. BAUMGARTNER, "Der Kampf um das Deuteronomium," *TRu* 1 (1929), 7–25; see also S. LOERSCH, *Das Deuteronomium und seine Deutungen: Ein forschungsbeschichtlicher Überblick* (SBS 22; Stuttgart: Bibelwerk, 1967), 50–67; E. OTTO, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin: de Gruyter, 1999), 6ff.

tween those books and Deuteronomy has become a well-established position since then, although it has been differentiated in redaction-historical terms in several ways.[4] The acceptance of redactional relations between Deuteronomy and Joshua–Kings and the notion of a "Deuteronomistic History" is so common that, for example, in John J. Collins's *Introduction to the Hebrew Bible*,[5] the Deuteronomistic History becomes a historical-critical substitute for the traditional "Former Prophets" section of the Old Testament canon. Collins's *Introduction* is organized in four parts, out of which the second is entitled not "Former Prophets" but "Deuteronomistic History" and deals with Joshua–Kings:

Part One: The Torah/Pentateuch
Part Two: The Deuteronomistic History
Part Three: Prophecy
Part Four: The Writings

Deuteronomy has long been perceived to have had considerably less influence on Genesis–Numbers. To a certain extent, the relationship between them was widely neglected in the wake of Noth's assumption that there was no Deuteronomistic redaction in Genesis–Numbers: "It is generally recognised that there is no sign of 'Deuteronomistic editing' in Genesis–Numbers."[6] But Jul-

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[4] See, e.g., R.F. PERSON, Jr., *The Deuteronomic School: History, Social Setting and Literature* (SBL Studies in Biblical Literature 2; Atlanta: Society of Biblical Literature, 2002), 2–9; T. RÖMER, *The So-Called Deuteronomistic History: A Sociological, Historical, and Literary Introduction* (New York: T&T Clark, 2005), 13–43; A detailed survey of scholarship is provided by T. RÖMER and A. DE PURY, "Deuteronomistic Historiography (DH): History of Research and Debated Issues," in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research* (ed. A. de Pury *et al*.; JSOTSup 306; Sheffield: Sheffield Academic Press, 2000), 24–141; trans. of "L'historiographie deutéronomiste (HD): Histoire de la recherche et enjeux du débat," in *Israël construit son histoire: L'historiographie deutéronomiste à la lumière des recherches récentes* (ed. A. de Pury *et al*.; MdB 34; Geneva: Labor et Fides, 1996), 9–120; and T. VEIJOLA, "Das Deuteronomium im Pentateuch und Hexateuch," *TRu* 68 (2003), 374–382; IDEM, "Deuteronomismusforschung zwischen Tradition und Innovation (I)," *TRu* 67 (2002), 273–327; IDEM, "Deuteronomismusforschung zwischen Tradition und Innovation (II)," *TRu* 67 (2002), 391–424; IDEM, "Deuteronomismusforschung zwischen Tradition und Innovation (III)," *TRu* 68 (2003), 1–44. See also A. MOENIKES, "Beziehungssysteme zwischen dem Deuteronomium und den Büchern Josua bis Könige," in *Das Deuteronomium* (ed. G. Braulik; ÖBS 23; Frankfurt am Main: Peter Lang, 2003), 69–85.

[5] Minneapolis: Fortress, 2004, v–vi.

[6] M. NOTH, *The Deuteronomistic History* (trans. J. Doull *et al.*; JSOTSup 15; Sheffield: Sheffield University Press, 1981), 12–13. See on this K. SCHMID, "The Emergence and Disappearance of the Separation between the Pentateuch and the Deuteronomistic History in Biblical Studies," in *Pentateuch, Hexateuch, or Enneateuch: Identifying Literary Works in Genesis through Kings* (ed. T.B. Dozeman *et al*.; SBL Ancient Israel and Its Literature 8; Atlanta: Society of Biblical Literature, 2011), 11–24, esp. 14–15.

ius Wellhausen had already noted the kinship of JE in some passages with Deuteronomistic language and theology.[7] Hans Heinrich Schmid saw his "J" in close relationship to Deuteronomism,[8] and in the wake of Rolf Rendtorff and Erhard Blum,[9] the notion of a Deuteronomistic layer or composition in the Pentateuch became a common assumption in scholarship (at least in Europe).[10] Subsequently, the redactional links between Deuteronomy and the other books of the Pentateuch have been explored in more detail.[11] Several scholars thereby assume "Deuteronomistic" redactional texts – or texts that traditionally have been seen as "Deuteronomistic" – that even postdate the Priestly Code.[12] Erhard Blum, for example, has revised his position regarding D-texts in Genesis, which he now separates from those in Exodus–Numbers and which he dates after P.[13] Due to the lack of consensus in pentateuchal exegesis, however, these explorations have not yet yielded reliable results.

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[7] J. WELLHAUSEN, *Die Composition des Hexateuchs und der geschichtlichen Bücher des Alten Testaments* (3rd ed.; Berlin: Reimer, 1899), 94f.

[8] H.H. SCHMID, *Der sogenannte Jahwist: Beobachtungen und Fragen zur Pentateuchforschung* (Zürich: Theologischer Verlag, 1976), 166.

[9] R. RENDTORFF, *Das überlieferungsgeschichtliche Problem des Pentateuch* (BZAW 147; Berlin: de Gruyter, 1977), 75–79; E. BLUM, *Die Komposition der Vätergeschichte* (WMANT 57; Neukirchen-Vluyn: Neukirchener, 1984), 362–419; IDEM, *Studien zur Komposition des Pentateuch* (BZAW 189; Berlin: de Gruyter, 1990), 101–218.

[10] For an example from the American context, see J. BLENKINSOPP, *The Pentateuch: An Introduction to the First Five Books of the Bible* (New York: Doubleday, 1992), 233–237.

[11] See E. OTTO, *Das Deuteronomium im Pentateuch und Hexateuch: Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumrahmens* (FAT 30; Tübingen: Mohr Siebeck, 2000); J.C. GERTZ, "Kompositorische Funktion und literarhistorischer Ort von Deuteronomium 1–3," in *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur "Deuteronomismus"-Diskussion in Tora und Vorderen Propheten* (ed. M. Witte *et al.*; BZAW 365; Berlin: de Gruyter, 2006), 103–123; VEIJOLA, "Deuteronomium im Pentateuch und Hexateuch" (see n. 4), 374–382; R.G. KRATZ, "Der literarische Ort des Deuteronomiums," in *Liebe und Gebot: Studien zum Deuteronomium* (ed. R.G. Kratz and H. Spieckermann; FRLANT 190; Göttingen: Vandenhoeck & Ruprecht, 2000), 101–120. See also IDEM, *Composition* (see n. 2), 114–133 (*Komposition*, 118–38); IDEM, "Der vor- und der nachpriesterschriftliche Hexateuch," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion* (ed. J.C. Gertz *et al.*; BZAW 315; Berlin: de Gruyter, 2002), 295–323.

[12] See, e.g., E. OTTO, "Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus," in *Studies in the Book of Exodus: Redaction – Reception – Interpretation* (ed. M. Vervenne; BETL 126; Leuven: Peeters, 1996), 61–111, and the overview in IDEM, "Forschungen zum nachpriesterschriftlichen Pentateuch," *TRu* 67 (2002), 125–155.

[13] E. BLUM, "Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion* (ed. J.C. Gertz *et al.*; BZAW 315; Berlin: de Gruyter, 2002), 119–156.

The current situation is complicated by the fact that it has become increasingly clear that Deuteronomy in itself is a multilayered composition that has grown over a long period. The composite character of Deuteronomy – that is, the existence of multiple redactional layers – applies no longer simply to the fringes of Deuteronomy in Deut 1–3 and 30–34, but also to the main body of the book.[14] Some scholars even believe that Deuteronomy was never an independent text,[15] although the traditional view still prevails.

Therefore, the subject of Deuteronomy in its contexts is very open for discussion. Because of these recent challenges, the Pentateuch Section and the Deuteronomistic History Section of the Society of Biblical Literature held two joint sessions at the 2010 annual meeting in Atlanta; the sessions were devoted to the question of how the book of Deuteronomy related to the larger literary works of which it may have been a part, including but not limited to the Pentateuch and the Deuteronomistic History. The present volume grew out of those two joint sessions. All but one of the following essays – that is, excluding the essay by Schmid – are revisions of papers given in these sessions.

In the current scholarly environment, a consensus cannot be expected to result from such an enterprise. Research on the Pentateuch, on the one hand, and on the Deuteronomistic History, on the other hand, is simply too diverse for such an outcome. The essays in this volume, therefore, represent the continuing diversity of approaches to the question of the role of Deuteronomy in the Pentateuch, the Hexateuch, and/or the Deuteronomistic History.

In "Deuteronomy within the 'Deuteronomistic Histories' in Genesis–2 Kings," Konrad Schmid criticizes the traditional understanding, inaugurated by Noth and von Rad, of the Deuteronomistic History's diachronic relationship to the Pentateuch. According to Noth and von Rad, the book of Deuteronomy was first connected to the Deuteronomistic History and then appended to the Tetrateuch to form the Pentateuch. Schmid's critique begins with the implausibility of the ideas that, on the one hand, the Deuteronomistic History existed independently of any narrative concerning the patriarchs and the exodus and that, on the other hand, the conquest narratives of the pentateuchal sources would have completely disappeared once the Deuteronomistic History and the Tetrateuch were combined. A more plausible diachronic reconstruction of how Deuteronomy relates to its contexts in Genesis–Kings can be found by asking about the specific theological topics that are highlighted by

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[14] See, e.g., for the first sixteen chapters of the book, T. VEIJOLA, *Das 5. Buch Mose: Deuteronomium Kapitel 1,1–16,17* (ATD 8/1; Göttingen: Vandenhoeck & Ruprecht, 2004).

[15] See KRATZ, "Literarische Ort" (see n. 11); IDEM, "The Pentateuch in Current Research: Consensus and Debate," in *The Pentateuch: International Perspectives on Current Research* (ed. T.B. Dozeman *et al.*; FAT 78; Tübingen: Mohr Siebeck, 2011), 31–61, here 39–45 (he names predecessors on 42 n. 34 [W. Staerk, E. Reuter]).

the relationships between the books. Apparently the first "Deuteronomistic History," focused on the cult-centralization theme detected in 1 Samuel–2 Kings, was not yet literarily connected to "Ur"-Deuteronomy (6–28*). The subsequent literary linking of Deuteronomy, probably in the shape of chs. 5–30*, with Exodus–Joshua, on the one hand, and with Joshua–Kings, on the other hand, was grounded in particular on the theology of the Decalogue. A final post-Priestly "Deuteronomistic History" can be found in Genesis–2 Kings, which is reflected in Deuteronomy by the addition of Deut 4.

In "The Headings of the Book of Deuteronomy," Reinhard Kratz examines the four "headings" in Deut 1:1–5; 4:44–49; 5:1; and 6:4. On the basis of this analysis, he reconstructs the redaction history of Deuteronomy in its larger literary contexts as follows: (1) Deuteronomy 6:4 introduced a first edition consisting of Deut 6:4–26:16*, which was probably not an independent text. (2) Deuteronomy 5:1 introduced an expanded Deuteronomy (including 34:5–6) as a part of Exodus–Joshua. (3) Deuteronomy 1:1a* functioned to indicate that Deuteronomy concludes the Pentateuch, while at the same time pointing forward to the continuing narrative in the Former Prophets. (4) Deuteronomy 1:1b–5 and Deut 4:44–49 are later introductions that mutually influence one another in a complex redaction history of their own that is associated with the addition of Deut 1–4.

In "Mosaic Prophecy and the Deuteronomic Source of the Torah," Jeffrey Stackert argues for the Wellhausenian order of the pentateuchal sources by suggesting that the D source's formulation of Mosaic prophecy draws from J and E without knowledge of P. The D formulation allowed future prophetic activity as long as the prophets are "like Moses." The "like Moses" formulation creates some tension with the other pentateuchal sources and with other "Deuteronom(ist)ic" literature in the Prophets.

In "Placing the Name, Pushing the Paradigm: A Decade with the Deuteronomistic Name Formula," Sandra Richter returns to her thesis critiquing Name Theology in the context of the ancient Near East. After reviewing how others responded to her earlier monograph, she defends her thesis that the use of Name Theology in D is not a "Deuteronomistic correction" of JE with a more advanced understanding of the deity according to hypostasis, but rather simply means that YHWH's "placing his name" emphasizes YHWH's sovereignty over his newly conquered land. Nevertheless, Richter asserts that the "inherited structure" of Wellhausen (JEDP) and Noth's notion of D as foundational for the Deuteronomistic History remain sound.

In "The Literary Relationship between Deuteronomy and Joshua: A Reassessment," Christophe Nihan reexamines Lohfink's hypothesis of a Dtr *Landeroberungserzählung* (DtrL) and Braulik's revision of DtrL. He reconstructs the redacton history of Deuteronomy and Joshua as follows: (1) The narrative spanning the exodus to the conquest (Exodus–Joshua*) originally contained

no legal material and ended with Josh 10:40–43*. This narrative was produced during the Josianic period. (2) The early form of Deuteronomy (Deut 12–26*) was an independent literary work. (3) The Deuteronomic legal material was incorporated into the exodus-conquest narrative, leading to revisions in Deuteronomy and Joshua, so that the new work ended with Josh 11:16–23*. (4) The exodus-conquest narrative now containing Deuteronomic legal material was then expanded to include Judges–Samuel–Kings*. At this stage a new ending was added to Joshua (21:43–45; 23:1–3, 11, 14–16a) and a new beginning was added to Judges (2:11–19*). The close connections between Deut 12:8–12; Josh 21:43–45; and 1 Kgs 8:56 derive from this postmonarchic redaction.

In "Joshua 9 and Deuteronomy, an Intertextual Conundrum: The Chicken or the Egg?" Cynthia Edenburg analyzes Josh 9 and its intertexts, especially Deut 20. She reconstructs the redactional relationship between Josh 9 and Deut 20 as follows: (1) The original conquest narrative of Josh 6–10* was created to illustrate the limitations placed on warfare in the original law in Deut 20:10–14, 19–20*. (2) With the addition of the idealistic *ḥērem* stipulation in Deut 20:15–18, the conquest narrative was revised (Josh 6–11*) to lend support to the prohibition against intermarriage in the Persian period. (3) A post-Deuteronomistic revision of Josh 9 created a satirical attack on the *ḥērem* stipulation with the story of the Gibeonite ruse.

In "Deuteronomy and 1–2 Kings in the Redaction of the Pentateuch and Former Prophets," Juha Pakkala first details the relationships between Deuteronomy and 1–2 Kings and then those between Deuteronomy and 1–2 Kings, on the one hand, and Joshua, Judges, 1–2 Samuel, and the Tetrateuch, on the other hand. He formulates the following proposal: (1) Deuteronomy and 1–2 Kings share a common early redactional development that emphasizes cult centralization and opposes the worship of other gods. (2) This common redactional development was independent of the early redactional histories of Joshua–Judges–Samuel and the Tetrateuch, in that the themes of cult centralization and other gods are lacking. (3) The final form of Joshua–Judges–Samuel and the Tetrateuch included later (although somewhat minimal) revisions of cult centralization in Joshua–Judges–Samuel and opposition to the worship of other gods in pentateuchal versions of Genesis–Numbers.

As the summaries of the individual essays demonstrate, the contributors to this volume approach the question of the role of Deuteronomy in its larger literary contexts from a variety of perspectives. It remains to be seen how these different perspectives will develop in future discussions. Certainly further methodological clarification is necessary. For example, how can we discern the difference between a new literary work that is referring to earlier traditional material and a book or scroll that is written to follow another as an extension of the earlier literary work? Moreover, when should we regard "dis-

junctions" as evidence of multiple redactors rather than as evidence of one author drawing from a diversity of sources for the purpose of combining various traditions into one narrative? These and other pressing methodological questions have occupied scholars for a long time and will likely continue to do so for decades to come; therefore, these tasks need to be left for the moment for other venues and volumes.

Deuteronomy within the "Deuteronomistic Histories" in Genesis–2 Kings[1]

Konrad Schmid

1. The Problem of the Literary Interconnectedness of Deuteronomy in Its Contexts

Deuteronomy research traditionally involves four main areas: 1) the question of the literary layers of Deuteronomy (including the problem of the so-called "Ur"-Deuteronomy); 2) the question of the historical context of the literary core of Deuteronomy (traditionally, the connection with the Josianic reform); 3) the relationship between Deuteronomy and the Book of the Covenant; and 4) the question of the literary integration of Deuteronomy into its contexts.

The fourth problem area, which pertains to the question of Deuteronomy's place between the Pentateuch and the Deuteronomistic History, received little attention for quite some time.[2] In the twentieth century, studies proceeded

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[1] This article is a revised and updated version of my article "Das Deuteronomium innerhalb der 'deuteronomistischen Geschichtswerke' in Gen–2Kön," in *Das Deuteronomium zwischen Pentateuch und deuteronomistischem Geschichtswerk* (ed. E. Otto and R. Achenbach; FRLANT 206; Göttingen: Vandenhoeck & Ruprecht, 2004), 193–211. My thanks go to Phillip Lasater for translating the original German text.

[2] See for example the concise (and at the same time, aporetic) statements of H.D. PREUSS, *Deuteronomium* (EdF 164; Darmstadt: Wissenschaftliche Buchgesellschaft, 1982), 22f. But lately the situation has changed. See the recent work of R.G. KRATZ, "Der literarische Ort des Deuteronomiums," in *Liebe und Gebot*: *Studien zum Deuteronomium* (ed. R.G. Kratz and H. Spieckermann; FRLANT 190; Göttingen: Vandenhoeck & Ruprecht, 2002), 101–120; IDEM, *The Composition of the Narrative Books of the Old Testament* (trans. J. Bowden; New York: T&T Clark, 2005), 114–133; trans. of *Die Komposition der erzählenden Bücher des Alten Testaments* (UTB 2157; Göttingen: Vandenhoeck & Ruprecht, 2000), 118–138; E. OTTO, "Deuteronomium und Pentateuch: Aspekte der gegenwärtigen Debatte," *ZAR* 6 (2000), 222–284; and IDEM, *Das Deuteronomium im Pentateuch und im Hexateuch* (FAT 30; Tübingen: Mohr Siebeck, 2001); for a more recent history of research, T. VEIJOLA, "Deuteronomismusforschung zwischen Tradition und Innovation (III)," *TRu* 68 (2003), 1–44. Otto holds an especially pointed position in response to the question of the literary connection of Deut to the books of the Former Prophets after Josh: "Die umgreifende Redaktion der Vorderen Prophe-

largely from two primary and supposedly clear premises: early on, leaning toward a Tetrateuch and in the wake of Wilhelm Martin Leberecht de Wette, scholars *separated* Deuteronomy from the preceding books; later, leaning toward the Former Prophets and through the influence of Martin Noth, scholars *unified* Deuteronomy with these books and analyzed them as a Deuteronomistic History extending from Deuteronomy to 2 Kings. According to Noth, Deuteronomy is linked above all with the redaction history of the following books of Joshua–2 Kings. As for the preceding context, he claimed the opposite: "In the books Genesis through Numbers, there is no trace of a 'Deuteronomistic redaction,' as it is generally acknowledged."[3] The issue seemed

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ten unter Einschluß des Richterbuches als negatives Gegenstück zum Pentateuch einerseits und zum *corpus propheticum* andererseits ist längst postdtr, setzt die Pentateuchredaktion im 5. Jh. voraus und hat in Zuge der Kanonsformierung eine als protoapokalyptisch zu bezeichnende Geschichtsinterpretation zur Voraussetzung […]. Die endgültige Formierung der Vorderen Propheten als Verbindungsstück zwischen Tora und *corpus propheticum* unter Einschluß des von der Pentateuchredaktion abgetrennten Josuabuches und der dtr Grundschichten in den Samuel- und Königsbüchern ist bereits ein Akt der Kanonsbildung im 3./2. Jh. v.Chr." (*Deuteronomium im Pentateuch*, 235 n. 7; see on this T. VEIJOLA, "Das Deuteronomium im Pentateuch und im Hexateuch," *TRu* 68 [2003], 374–382). According to Otto, Josh 24 concludes a formerly literarily independent Hexateuch. As an argument, he presents the finding that, within Gen–2 Kgs as a literary unit, there are no explicit cross references such as the hexateuchal thread of the transfer and burial of Joseph's bones (Gen 50:25; Exod 13:19; Josh 24:32). Certainly, hexateuchal lines come to a close in Josh 24. But simultaneously in this very chapter – and not literarily isolable from hexateuchal perspectives – new lines open up that continue in Judg–2 Kgs (simply consider Judg 6:7–10; 10:10–16; 1 Sam 7:3f.; 10:17–19; 12:10; additionally, E. BLUM, *Die Komposition der Vätergeschichte* [WMANT 57; Neukirchen-Vluyn: Neukirchener, 1984], 45–61). Interpretations concerning their chronological location may vary, but they most likely did not emerge only as late as the third/second c. B.C.E. The contention that Josh 24:19f. as well contains no "Hinweis auf eine Fortsetzung des Hexateuch in den Vorderen Propheten" (OTTO, *Deuteronomium im Pentateuch*, 220) should instead be understood in view of Josh 23:15f. (Otto's "DtrL"). This reading, on the one hand, clearly conflicts with Otto's argument by indicating a corresponding narrative continuation in the text's meaning; and, on the other hand, Josh 23:15f. already clearly leads into the Former Prophets: "Was Jos 23,16a als Warnung formuliert werden musste, wird 2K 17,15a als negative Erfüllung konstatiert: das Verschmähen (מאס) und das Übertreten (עבר) der ברית" (L. PERLITT, *Bundestheologie im Alten Testament* [WMANT 36; Neukirchen-Vluyn: Neukirchener, 1969], 19).

[3] M. NOTH, *Überlieferungsgeschichtliche Studien* (Stuttgart: Kohlhammer, 1943), 13 n. 1 ("[I]n den Büchern Gen.–Num. fehlt jede Spur einer 'deuteronomistischen Redaktion', wie allgemein anerkannt ist"), with this small restriction: "Dass es einzelne Stellen gibt, an denen der alte Text im deuteronomistischen Stile erweitert worden ist, wie etwa Ex. 23,20ff. und Ex. 34,10ff., hat mit Recht meines Wissens noch niemand für ein Merkmal einer durchgehenden 'Redaktion' gehalten" (on this issue, see also A. GRAUPNER, *Der Elohist*: *Gegenwart und Wirksamkeit des transzendenten Gottes in der Geschichte* [WMANT 97; Neukirchen-Vluyn: Neukirchener, 2002], 5).

clear: the deepest break in the narrative continuity of Genesis–2 Kings lies between Numbers and Deuteronomy, suggesting that the two fundamental blocks of the great historical work of Genesis–2 Kings consist of the non-Deuteronomistic Tetrateuch, Genesis–Numbers, and the Deuteronomistic History, Deuteronomy–2 Kings. Deuteronomy was originally the beginning of the Deuteronomistic History, prior to being added as an ending to the Tetrateuch during the process of the Torah's formation.

Nonetheless, in spite of being masked by the long-term acceptance of the theory, several points have proven problematic for this thesis, which is as simplistic as it is widely accepted. Chiefly, it depends on an astonishingly implausible literary-critical theory that must postulate a massive loss of text: the context of Genesis–Numbers running from creation to Balaam was the surviving remnant of an older (Yahwistic) account complete with a report of the conquest, which purportedly disappeared in the process of its combination with the Deuteronomistic History. It is hardly convincing that *within the same theoretical framework* one must assume that, as the redactors compiled sources, they included virtually everything from the flood narrative (Gen 6–9) or the passage through the sea (Exod 13f.) in order to preserve their source material, whereas in the combination of the Hexateuch and the Deuteronomistic History, the redactors were simply able to delete an entire conquest account.

It appears, then, that the standard theses representing Genesis–Numbers as "non-Deuteronomistic" and Deuteronomy–2 Kings as "Deuteronomistic" cannot withstand scrutiny. There has been an oversimplification not only of the problem of defining the term "Deuteronomistic"[4] but also of the issues surrounding the characteristic linguistic orientation and argumentative thrust[5] of the (multilayered) book of Deuteronomy. A great number of "Deuteronomisms" occur especially in Exodus and also in Numbers. In contrast, not everything in Deuteronomy–2 Kings that sounds "Deuteronomistic" necessarily belongs in this category in terms of content. Linguistic and theological "Deuteronomisms" do not always coincide. To cite just one example, the expansive, so-called "Deuteronomistic Judges schema," with its combination of the motifs of the "outcry" (זעק, Judg 3:9, 15; 4:3; 6:6; 10:10) and the subsequent

[4] See K. SCHMID, *Buchgestalten des Jeremiabuches*: *Untersuchungen zur Redaktion und Rezeptionsgeschichte von Jer 30–33 im Kontext des Buches* (WMANT 72; Neukirchen-Vluyn: Neukirchener, 1996), 31–33. Additionally, see the discussion in R. COGGINS, "What Does 'Deuteronomistic' Mean?" in *Those Elusive Deuteronomists*: *The Phenomenon of Pan-Deuteronomism* (ed. L.S. Schearing and S.L. McKenzie; JSOTSup 268; Sheffield: Sheffield Academic Press, 1999), 22–35; also note VEIJOLA, "Deuteronomismusforschung" (see n. 2), 26f.; as well as W. DIETRICH, "Deuteronomistisches Geschichtswerk," *RGG* 2.688–692.

[5] Here, we go beyond NOTH's postulated "linguistic evidence" (*Studien* [see n. 3], 4).

assistance,[6] resembles the Priestly source (e.g. Exod 2:23–25*) much more closely than it resembles "Deuteronomism." This schema is probably not pre-Priestly but rather belongs to the sphere of post-Priestly composite "P"-"D" texts.[7] At any rate, Genesis–Numbers is not consistently "non-Deuteronomistic," and Deuteronomy–2 Kings is not consistently "Deuteronomistic." To the contrary, both textual blocks should be judged as variegated.

Furthermore, in the classical model of the Deuteronomistic History, scholars already disputed whether the Deuteronomic law (Deut 12ff.) was part of the work from the beginning or whether its incorporation only occurred later, as, for example, Julius Wellhausen, Gerhard von Rad, Hans-Walter Wolff, and Jon D. Levenson have suspected.[8] Indeed, the theological history in Joshua–2 Kings, particularly in 2 Kings, coheres to a degree, but not precisely, with the wording and argumentative thrust of the Deuteronomic law.[9] Specifically, significant differences appear concerning the royal ideology, as for example Bernard Levinson[10] and Gary Knoppers[11] have clarified.

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[6] Also, the motif of "pity" in no way belongs primarily among the Deuteronomisms, whether in terms of statistics or content. Rather, it presupposes a Priestly motivated transformation (נחם, Judg 2:18; see the parallels in H. SIMIAN-YOFRE, "נחם" *ThWAT* 5.366–384, esp. 375; J. JEREMIAS, *Die Reue Gottes*: *Aspekte alttestamentlicher Gottesvorstellung* [BTSt 31; Neukirchen-Vluyn: Neukirchener, 1997], 45 n. 7; but for both interpreters, Judg 2:18 still qualifies as "Deuteronomistic" by virtue of its being part of the Judg schema).

[7] See K. SCHMID, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible* (trans. J.D. Nogalski; Siphrut 3; Winona Lake, Ind.: Eisenbrauns, 2010), 203f.; trans of *Erzväter und Exodus*: *Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments* (WMANT 81; Neukirchen-Vluyn: Neukirchener, 1999), 220. For the position of Judg in Gen–Kgs, see P. GUILLAUME, *Waiting for Josiah: The Judges* (JSOTSup 385; London: T&T Clark, 2004); W. GROSS, "Das Richterbuch zwischen deuteronomistischem Geschichtswerk und Enneateuch," in *Das deuteronomistische Geschichtswerk* (ed. H.-J. Stipp; ÖBS 39; Frankfurt am Main: Peter Lang, 2011), 177–205.

[8] See SCHMID, *Erzväter und Exodus* (see n. 7), 164 n. 658, for bibliography.

[9] See the earlier observations of J.D. LEVENSON, "Who Inserted the Book of the Torah?" *HTR* 68 (1975), 203–233, here 221–231.

[10] B.M. LEVINSON, "The Reconceptualization of Kingship in Deuteronomy and the Deuteronomistic History's Transformation of Torah," *VT* 51 (2001), 511–543, here 525: "The double denial by the Deuteronomic author that there should be any connection between king and cult is reversed by the Deuteronomistic Historian." It should, however, be investigated whether or not the conceptual differences unfold in the opposite direction: the Deuteronomic authors do not necessarily precede the Deuteronomistic Historians.

[11] G.N. KNOPPERS, "The Deuteronomist and the Deuteronomic Law of the King: A Reexamination of a Relationship," *ZAW* 108 (1996), 329–346; IDEM, "Rethinking the Relationship between Deuteronomy and the Deuteronomistic History: The Case of Kings," *CBQ* 63 (2001), 393–415.

Finally, it makes little narratological sense to sever the account of the exodus and the wilderness wandering in Exodus–Numbers so sharply from the overall literary context of Deuteronomy–2 Kings, which is logically what results from the hypothesis of a Deuteronomistic History. Firstly, the overarching chronological framework of Deuteronomy–2 Kings is based on the exodus as a starting point (see most prominently 1 Kgs 6:1: "In the four hundred eightieth year after the Israelites came out of the land of Egypt, in the fourth year of Solomon's reign over Israel, in the month of Ziv, which is the second month, he began to build the house of YHWH"). Secondly, the numerous references back to the exodus in both Deuteronomy[12] and Joshua–2 Kings[13] cast doubt upon the exclusion of Exodus–Numbers.[14] This position is further exacerbated by interpreters such as John Van Seters, Erhard Blum, and Martin Rose, who tend toward the view that the redactional combination of Genesis–Numbers is post-Deuteronomic, since the retrospective summary in Deut 1–3 would otherwise lack its narrative foundation.[15]

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[12] See further S. KREUZER, "Die Exodustradition im Deuteronomium," in *Das Deuteronomium und seine Querbeziehungen* (ed. T. Veijola; PFES 62; Göttingen: Vandenhoeck & Ruprecht, 1996), 81–106.

[13] See further C. WESTERMANN, *Die Geschichtsbücher des Alten Testaments*: *Gab es ein deuteronomistisches Geschichtswerk?* (TB 87; Gütersloh: Mohn, 1994), 39f.; T. RÖMER and A. DE PURY, "Deuteronomistic Historiography (DH): History of Research and Debated Issues," in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research* (ed. A. de Pury *et al*; JSOTSup 306; Sheffield: Sheffield Academic Press, 2000), 24–141; trans. of "L'historiographie deutéronomiste (HD): Histoire de la recherche et enjeux du débat," in *Israël construit son histoire: L'historiographie deutéronomiste à la lumière des recherches récentes* (ed. A. de Pury *et al.*; MdB 34; Geneva: Labor et Fides, 1996), 9–125, here 85; SCHMID, *Erzväter und Exodus* (see n. 7), 77f. (*Genesis and the Moses Story*, 70); KRATZ, *Komposition* (see n. 2), 174 with n. 77 (*Composition*, 170f.; see 1 Kgs 6:1; 8:9, 16, 21, 51, 53; 9:9; 12:28; 2 Kgs 17:7, 36; 21:15). See also S. MITTMANN, *Deuteronomium 1:1–6:3*: *Literarkritisch und traditionsgeschichtlich untersucht* (BZAW 139; Berlin: de Gruyter, 1975), 177f.

[14] With E.A. KNAUF ("Does 'Deuteronomistic Historiography' [DtrH] Exist?" in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research* [ed. A. de Pury *et al.*; JSOTSup 306; Sheffield: Sheffield Academic Press, 2000], 388–398, here 398; trans. of "'L'Historiographie Deutéronomiste' [DtrG] existe-t elle?" in *Israël construit son histoire: L'historiographie deutéronomiste à la lumière des recherches récentes* [ed. A. de Pury *et al.*; MdB 34; Geneva: Labor et Fides, 1996], 409–418, here 418) as well as A.G. AULD ("The Deuteronomists and the Former Prophets, or What Makes the Former Prophets Deuteronomistic?" in *Those Elusive Deuteronomists*: *The Phenomenon of Pan-Deuteronomism* [ed. L.S. Schearing and S.L. McKenzie; JSOTSup 268; Sheffield: Sheffield Academic Press, 1999], 116–126, here 121), it should be stressed that in the historical summaries in the Psalter, the narrative sequence of Gen–Deut, Gen–Josh, Josh–Kgs, and/or Gen–Kgs is thematized – but not that of Deut–Kgs.

[15] See SCHMID, *Erzväter und Exodus* (see n. 7), 36f. (*Genesis and the Moses Story*, 31–33). For a discussion of the composition history of Deut 1–3, see J.C. GERTZ, "Kompositorische Funktion und literarhistorischer Ort von Deuteronomium 1–3," in *Die deuteronomisti-*

In light of this situation in the scholarly debate, we must therefore begin anew with the question of the literary integration of Deuteronomy in its contexts. To this end, the following observations may serve as starting points:

1. In its current form, Deuteronomy is part of a larger, continuous narrative context that reaches from Genesis to 2 Kings.[16]
2. This narrative context has undoubtedly evolved literarily.
3. The reconstruction of this development is in dispute, a status also applicable to what have been, until now, established fundamental conclusions. Contrary to the classic approach, Deuteronomy (ff.) cannot from the outset be detached from Genesis–Numbers, nor can a sixth-century Deuteronomistic History in Deuteronomy–2 Kings be assumed matter-of-factly.[17]
4. There are lexical[18] "Deuteronomisms" in Genesis–2 Kings as a whole, though they need not be conceptual "Deuteronomisms" at the same time.

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schen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur "Deuteronomismus"-Diskussion in Tora und Vorderen Propheten (ed. M. Witte *et al*.; BZAW 365; Berlin: de Gruyter, 2006), 103–123; E. OTTO, "Deuteronomiumstudien I: Die Literaturgeschichte von Deuteronomium 1–3," *ZAR* 14 (2008), 86–236; IDEM, "Deuteronomium 1–3 als Schlüssel der Pentateuchkritik in diachroner und synchroner Lektüre," in *Die Tora: Studien zum Pentateuch; Gesammelte Schriften* (BZAR 9; Wiesbaden: Harassowitz, 2009), 284–420.

[16] For overarching structures, see SCHMID, *Erzväter und Exodus* (see n. 7), 19–26 (*Genesis and the Moses Story*, 17–23); IDEM, "Une grande historiographie allant de Genèse à 2 Rois a-t-elle un jour existé?" in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque* (ed. T. Römer and K. Schmid; BETL 203; Leuven: Peeters, 2007), 35–45; trans. of "Buchtechnische und sachliche Prolegomena zur Enneateuchfrage," in *Auf dem Weg zur Endgestalt von Gen–II Reg* (ed. M. Beck and U. Schorn; BZAW 370; Berlin: de Gruyter, 2006), 1–14. On Gen–2 Kgs as a large-scale historical work, see also VEIJOLA, "Deuteronomismusforschung" (see n. 2), 30.

[17] See SCHMID, *Erzväter und Exodus* (see n. 7), 367 (*Genesis and the Moses Story*, 342). Alternatively, J. NENTEL, *Trägerschaft und Intentionen des deuteronomistischen Geschichtswerks: Untersuchungen zu den Reflexionsreden Jos 1*; *23*; *24*; *1 Sam 12 und 1 Kön 8* (BZAW 297: Berlin: de Gruyter, 2000), 4f. Useful discussions of the current state of research are provided by C. FREVEL, "Deuteronomistisches Geschichtswerk oder Geschichtswerke? Die These Martin Noths zwischen Tetrateuch, Hexateuch und Enneateuch," in *Martin Noth aus der Sicht der heutigen Forschung* (ed. U. Rüterswörden; BTSt 58; Neukirchen-Vluyn: Neukirchener, 2004), 60–95; T. RÖMER, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (New York: T&T Clark, 2005); M. WITTE *et al*. (eds.), *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur "Deuteronomismus"-Diskussion in Tora und Vorderen Propheten* (BZAW 365; Berlin: de Gruyter, 2006); H.-J. STIPP (ed.), *Das deuteronomistische Geschichtswerk* (ÖBS 39; Frankfurt am Main: Peter Lang, 2011).

[18] See M. WEINFELD, *Deuteronomy and the Deuteronomic School* (Oxford: Clarendon, 1972), 320–365, whose glossary is widely accepted (see for example R.F. PERSON, Jr., *The Deuteronomic School*: *History, Social Setting and Literature* [Atlanta: Society of Biblical Literature, 2002], 19 n. 5).

Therefore, interpreters must carefully distinguish between them according to both core concepts and literary horizons. Historically, they can date anywhere between the Assyrian period and the close of the canon; texts as late as Dan 9, the apocryphal book of Baruch, and *4 Ezra* can still employ Deuteronomistic idiom.[19]

5. The literary core of Deuteronomy, which is presumably to be found in Deut 6–28*, seems to have been written for its own sake, although with knowledge of other texts. Despite the proposal of Kratz,[20] it is hardly explainable in its context as a continuation ("Fortschreibung").

How, then, can we understand the integration of Deuteronomy into its wider contexts? In the following discussion I will respond briefly to this question, covering a few basic observations within the limited scope of this study.

2. The Preceding Context of Deuteronomy

In the narrative sequence of Genesis–Deuteronomy, it is clear that Deuteronomy is fashioned as the farewell speech of Moses on the final day of his life (Deut 31:2; 34:7; 34:48). In the speech, Moses conveys to the people of Israel the laws that they must observe in the land to which he is bringing them. From a reception standpoint, it is crucial that the legal material that Moses imparts in Deuteronomy apparently corresponds to what he previously received from God at the mountain in Exod 20, though he does not convey it before this point. While there are some minor indications in Exod 20ff. that Moses communicates something to Israel – perhaps the "Book of the Cove-

[19] Still standard for the long-term tradition history of Deuteronomism is O.H. STECK's *Israel und das gewaltsame Geschick der Propheten: Untersuchungen zur Überlieferung des deuteronomistischen Geschichtsbildes im Alten Testament, Spätjudentum und Urchristentum* (WMANT 23; Neukirchen-Vluyn: Neukirchener, 1967); RÖMER, *So-Called Deuteronomistic History* (see n. 17), 165–183; see also K. SCHMID, "The Deuteronomistic Image of History as Interpretive Device in the Second Temple Period: Towards a Long-Term Interpretation of 'Deuteronomism,'" in *Congress Volume: Helsinki, 2010* (ed. M. Nissinen; VTSup 148; Leiden: Brill, 2012), 369–388. On the English-speaking context of the Deuteronomism discussion, see VEIJOLA, "Deuteronomismusforschung" (see n. 2), 28–31.

[20] See KRATZ, "Literarische Ort" (see n. 2), 120; IDEM, *Komposition* (see n. 2), 128f. (*Composition*, 123–126). The basic argument here is that, on the one hand, the centralization formula "to the place that I will choose" cannot be separated from "Ur"-Deuteronomy, and on the other hand, the formula's future wording already presupposes the occupation of the land. This conflicts with the literary and conceptual unity of the Deuteronomic law and its rather uneven integration into the narrative context.

nant" (20:22–23:33; see Exod 24:7,[21] announced in 24:3), the Sabbath commandment (Exod 31:12ff., announced in 35:1–3), and the instructions for constructing the Tent of Meeting (Exod 25ff., announced in 34:32, 34; 35:4ff.) – the wider narrative context of Exodus–Numbers contains no unambiguous claim[22] that Moses actually complies with what God repeatedly instructs him to do: "Speak to the Israelites and say to them […]."[23] In the present narrative sequence of the Torah, Deuteronomy is the first portrayal of Moses definitively explaining the divine law. This impression is based not only on textual arrangement but also on the support of specific textual evidence.

Firstly, the double tradition of the Decalogue from both Sinai and Transjordanian legislation is difficult to explain as something other than an attempt to identify each legislative corpus with the other in terms of substance, as their respective authoritative summaries demonstrate. How the twofold embedding of the Decalogue has emerged diachronically is a well-known, controversial question – but this debate changes nothing about the mutual identifying function of the Sinai and the Transjordanian legislation.[24]

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[21] See already J. WELLHAUSEN, *Die Composition des Hexateuch* (3rd ed.; Berlin: Reimer, 1899), 194f. n. 1.

[22] Differently, N. LOHFINK, "Prolegomena zu einer Rechtshermeneutik des Pentateuch," in *Das Deuteronomium* (ed. G. Braulik; ÖBS 23; Frankfurt: Peter Lang, 2003), 11–55, here 37, with n. 111. Moses allegedly gave all instructions "stets weiter, obwohl das selten ausdrücklich gesagt wird." Lohfink refers to Exod 34:34; Lev 26:46; Num 36:13, "und in deren Licht vielleicht auch schon Ex 25:22." Lohfink discusses these passages based on the textual evidence of Num 30:1: "And Moses told the Israelites all that Yahweh had commanded him." But arguably, this statement applies only to the limited horizon of Num 28f. For Exod 34:34, see above in the text. It is neither compelling nor natural to understand Lev 26:46 and Num 36:13 as suggesting that the mediation of the laws to Israel "by the hand of Moses" has already occurred. The concern is not the unfolding of the story itself; rather, the narrator is speaking in these verses. As "colophons," one may appropriately regard Lev 26:46 and Num 36:13 as falling among the latest textual additions to the Pentateuch. Historically speaking, then, they are essentially of importance for the final textual hermeneutic of the Pentateuch (which Lohfink decidedly favors). This problem of the announcement of the commands from Sinai is also relevant for the preceding layers of formation. At any rate, the fact that the overall pentateuchal context expects an execution of the command "Speak to the Israelites and say to them" (דבר אל בני ישראל [+ ואמרת אלהם/לאמר]) may be seen in the short scenes of Num 16:23–26 and Num 17:16–22. The command in Num 16:24 corresponds to Moses's action in v. 26 (וידבר/דבר). The same is true in Num 17:16–22. Here, the instructions for Moses (דבר) at the beginning of v. 17 are reported as an executed command (וידבר) in v. 21. On this issue, see also J. JOOSTEN, "Moïse a-t-il recelé le Code de Sainteté?" *BN* 84 (1996), 75–86.

[23] דבר אל בני ישראל (+ ואמרת אלהם/לאמר), etc. Lev 1:2; 4:2; 7:29; 11:2; 12:2; 15:2; [17:2, etc.;] 18:2; 19:2; 20:2; 21:1; 23:2, 10, 24, 34; 24:2; 25:2; 27:2; Num 5:2, 12; 6:2; 15:2, 18, 38; 19:2; 28:2; 34:2; 35:2; see also Lev 6:2, 18; 22:2, 18; Num 6:23; 8:2.

[24] Based on the reasoning of the central Sabbath commandment in the Exod Decalogue, which harks back to the beginning of the Torah in Gen 1, one wonders whether the Exod Decalogue found its place in Exod 20 specifically as a result of the Torah's formation. For

Secondly, the current Mosaic fiction of the Deuteronomic law is difficult to explain unless one views it in close connection with the divine law from Sinai. A Mosaic law as such is not a plausible construct in the context of ancient Near Eastern legal theories.[25] Instead, the Mosaic fiction of Deuteronomy, which is probably not primary,[26] becomes intelligible as part of a presentation that regards Deuteronomy already as an interpretive text (whether it be an explanation of the Decalogue alone or of the Sinai legislation likewise promoted through the Decalogue).

Thirdly, Deuteronomy itself includes texts supportive of the theory that this final book of the Torah comprises[27] the explanation of the revelatory law from Sinai. Especially notable here is the caption of Deut 1:5: "Beyond the Jordan in the land of Moab, Moses began to clarify/expound this law" (באר).[28]

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this theory, see F.L. HOSSFELD, *Der Dekalog* (OBO 45; Fribourg: Academic Press, 1985), 161; and E. OTTO, "Die nachpriesterschriftliche Pentateuchredaktion im Buch Exodus," in *Studies in the Book of Exodus* (ed. M. Vervenne; BETL 126; Leuven: Peeters, 1996), 61–111, here 78. On this discussion, see also M. KÖCKERT, "Wie kam das Gesetz an den Sinai?" in *Vergegenwärtigung des Alten Testaments: Beiträge zur biblischen Hermenutik* (ed. C. Bultmann *et al.*; Göttingen: Vandenhoeck & Ruprecht, 2002), 13–27, who estimates that "die Zitierung des Dekalogs in Dtn 5 setzt eine ältere Vorlage voraus, die schon mit dem Sinai verbunden war" (22); IDEM, *Die Zehn Gebote* (Munich: Beck, 2007), 38–44; and E. BLUM, "The Decalogue and the Composition History of the Pentateuch," in *The Pentateuch: International Perspectives on Current Research* (ed. T.B. Dozeman *et al.*; FAT 78; Tübingen: Mohr Siebeck, 2011), 289–302.

[25] See OTTO, *Deuteronomium im Pentateuch* (see n. 2), 123: "Alles Recht ist in Babylonien wie im gesamten Alten Orient Königsrecht."

[26] See N. LOHFINK, "Das Deuteronomium: Jahwegesetz oder Mosegesetz?" *ThPh* 65 (1990), 387–391 = IDEM, *Studien zum Deuteronomium und zur deuteronomistischen Literatur III* (SBAB 20; Stuttgart: Katholisches Bibelwerk, 1995), 157–165; E. OTTO, "Deuteronomium," *RGG* 2.693–696, here 695. Additionally, see the discussion in E. REUTER, *Kultzentralisation*: *Entstehung und Theologie von Dtn 12* (BBB 87; Frankfurt am Main: Hain, 1993), 213–226; N. LOHFINK, "Kultzentralisation und Deuteronomium: Zu einem Buch von Eleonore Reuter," *ZAR* 1 (1995), 117–148 = IDEM, *Studien zum Deuteronomium und zur deuteronomistischen Literatur IV* (SBAB 31; Stuttgart: Katholisches Bibelwerk, 2000), 131–161; see also S. CHAVEL, "The Literary Development of Deuteronomy 12: Between Religious Ideal and Social Reality," in *The Pentateuch: International Perspectives on Current Research* (ed. T.B. Dozeman *et al.*; FAT 78; Tübingen: Mohr Siebeck, 2011), 303–326; P. ALTMANN, *Festive Meals in Ancient Israel: Deuteronomy's Identity Politics in Their Ancient Near Eastern Context* (BZAW 424; Berlin: de Gruyter, 2011), 72–132.

[27] OTTO, *Deuteronomium im Pentateuch* (see n. 2), 173f.

[28] The lexeme באר is indeed semantically difficult to determine, since it only appears elsewhere in Deut 27:8 and Hab 2:2, each time in conjunction with כתב (see *HALAT* 1.102). But the interpretation of *HALAT* remains plausible: "to make clear/explain." N. LOHFINK ("Prolegomena" [see n. 22], 30f. with n. 30; for Hab 2:2, see D. TSUMURA, "Hab 2:2 in the Light of Akkadian Legal Practice," *ZAW* 94 [1982], 294f.) proposes באר from *bâru* III D (see *AHw sub voce*), understood here as "eine Sache in Geltung setzen, einer Sache Rechtskraft

But according to this statement in Deut 1:5, Deuteronomy is already established as law – that is, as an explanation of the Sinai legislation. Deuteronomy 4 explicates the claim even more clearly, particularly in the opening verses (vv. 1–5).

Fourthly and finally, 1Q22 ("Dibre Moshe")[29] is noteworthy in this discussion. Through the location of Moses's speech after Deut 1:3[30] as well as through the mandate for Moses to "command" (וצויתה) the "sons of Israel" ([א]ת בני ישׂאר[ל]) "the words of the Torah that I commanded you on Mount Sinai" ([ד]ברי התורה אשׂר צוית[י אותכה] בהר ס[י]ני), this Qumran text articulates this relationship between the Sinai and the Transjordanian legislation. This example illustrates that later receptions as well could accent the relationship of the Sinai legislation and Deuteronomy as divine law and its Mosaic explanation.

Read in conjunction with Genesis–Numbers, Deuteronomy should therefore be understood as the divine Sinaitic law's Mosaic interpretation, whose correspondent trajectory is secured by the two Decalogues. One could even venture to say that the current narrative sequence of events coincides with the actual conditions behind the formation of Deuteronomy, the design of which reformulates the "Book of the Covenant" under the guiding principle of cult centralization.[31] The theory that Deuteronomy is secondarily, not originally,

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verleihen." A critical evaluation is provided by E. OTTO, "Mose, der erste Schriftgelehrte: Deuteronomium 1,5 in der Fabel des Pentateuch," in *L'ecrit et l'esprit: Études d'histoire du texte et de théologie biblique en hommage à Adrian Schenker* (ed. D. Böhler *et al*.; OBO 214; Fribourg: Universitätsverlag; Göttingen: Vandenhoeck & Ruprecht, 2005), 273–284 = IDEM, *Die Tora: Studien zum Pentateuch; Gesammelte Schriften* (BZAR 9; Wiesbaden: Harassowitz, 2009), 480–489, who opts for the same meaning as *HALAT* ("explain").

[29] D. BARTHÉLEMY and J.T. MILIK, *Qumran Cave 1* (DJD I; Oxford: Clarendon, 1955), 91–96.

[30] The date ארבעים is added in 1Q22 1:1, but can be deduced reliably from 2:6.

[31] See W.S. MORROW, *Scribing the Center: Organization and Redaction in Deuteronomy 14:1–17:13* (SBLMS 49; Atlanta: Society of Biblical Literature, 1995); B.M. LEVINSON, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997); E. OTTO, *Das Deuteronomium*: *Politische Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin: de Gruyter, 1999); IDEM, *Gottes Recht als Menschenrecht*: *Rechts- und literaturhistorische Studien zum Deuteronomium* (BZAR 2; Wiesbaden: Harassowitz, 2001). There is a new debate on whether this principle of cult centralization still belongs to the late monarchic period, as the majority of scholars think, or whether it is an exilic concept; see R.E. CLEMENTS, "The Deuteronomic Law of Centralisation and the Catastrophe of 587 B.C.," in *After the Exile: Essays in Honour of Rex Mason* (ed. J. Barton and D. Reimer; Macon, Ga.: Mercer University Press, 1996), 5–25 (earlier authors, 7 n. 4); KRATZ, *Komposition* (see n. 2), 137 (*Composition*, 132); IDEM, "The Idea of Cultic Centralization and Its Supposed Ancient Near Eastern Analogies," in *One God – One Cult – One Nation: Archaeological and Biblical Perspectives* (ed. R.G. Kratz and H. Spieckermann; BZAW 405; Berlin: de Gruyter, 2010), 121–144; J. PAKKALA, "The Date of the Oldest Edition of Deuter-

an explanation of the Sinai legislation does not require special confirmation: Deuteronomy is too unwieldy for its Sinai template to qualify as a text of linear continuation in its pentateuchal context. Furthermore, one would then expect Deuteronomy to be structured according to the Decalogue, which is only the case at a secondary, redactional level of the book.[32]

Chronologically locating this view of Deuteronomy is certainly a more difficult task.[33] It may be that Deuteronomy was first brought into an interpretive relationship with the Decalogue in Deut 5, only at a later stage being considered also as an explanation (because of the corresponding Exod Decalogue) of the Sinai legislation. But alternatively, if one identifies the insertion of the Deuteronomy Decalogue as secondary, then Deuteronomy in its embedded context would immediately be considered the explanation of the Sinai legislation. The question must remain open. Noteworthy for the present context is the "Decalogically" conceived connection of Deuteronomy to its preceding context.

3. The Subsequent Context of Deuteronomy

How is Deuteronomy interlinked with the books following it?[34] Here as well, space restrictions only permit some basic comments. Differently from other important studies, the following discussion emphasizes conceptual rather than linguistic questions, not as an alternative but as a supplement to existing approaches. We may proceed from the observation that the Former Prophets (Josh–2 Kgs) in their narrative context may be described as a great proclama-

onomy," *ZAW* 121 (2009), 388–401. Critical responses are provided by N. MACDONALD, "Issues in the Dating of Deuteronomy: A Response to Juha Pakkala," *ZAW* 122 (2010), 431–435; E. BLUM, "Das exilische deuteronomistische Geschichtswerk," in *Das deuteronomistische Geschichtswerk* (ed. H.-J. Stipp; ÖBS 39; Frankfurt am Main: Peter Lang, 2011), 274–276.

[32] See OTTO, *Deuteronomium im Pentateuch* (see n. 2), 115 ("DtrD"), who provides a differentiated reception of G. BRAULIK, "Die Abfolge der Gesetze in Deuteronomium 12–26 und der Dekalog," in *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (ed. N. Lohfink; BETL 68; Leuven: Peeters, 1985), 252–272 = IDEM, *Studien zur Theologie des Deuteronomiums* (SBAB 2; Stuttgart: Katholisches Bibelwerk, 1988), 231–255.

[33] See above, n. 24.

[34] See further the selective and rather insecure literary-historical classifications of A. MOENIKES, "Beziehungssysteme zwischen dem Deuteronomium und den Büchern Josua bis Könige," in *Das Deuteronomium* (ed. G. Braulik; ÖBS 23; Frankfurt: Peter Lang, 2003), 69–85.

tion of judgment:[35] they propose reasons for the national catastrophes of both the northern and the southern kingdoms' collapse.

The current version of the Former Prophets portrays the history of Israel in its land as a story of accumulating transgressions. The northern kingdom did not depart from the transgressions of Jeroboam, the southern kingdom did not abolish their multitude of high places, and with the transgressions of Manasseh the situation grew so grave that not even the pious Josiah could prevent the impending disaster. So Yahweh rejected both Israel and Judah.

This sketch briefly outlines the admittedly very complex logic of Joshua–2 Kings. Upon even closer inspection, one is compelled to make a conceptual distinction, which itself calls for further differentiation: 1) What exactly is the offense of which the guilty parties are accused? and 2) Who in general is counted among those responsible for the national disasters?[36]

1) *What is the offense?* This question does not receive a consistent answer in Joshua–2 Kings. Three positions are distinguishable:

First, the royal assessments suggest that the problem of cult centralization originally stood firmly in the foreground.[37] The standard criteria for assess-

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[35] See G. VON RAD, *Theologie des Alten Testaments*, *Band 1: Die Theologie der geschichtlichen Überlieferungen Israels* (Munich: Kaiser, 1957), 355; STECK, *Israel* (see n. 19), 138.

[36] For a critical discussion of my proposal (referring to the German original of this text [see n. 1]), see BLUM, "Exilische deuteronomistische Geschichtswerk" (see n. 31), 269–295, esp. 273–283. He maintains the classical position of Noth and refuses the differentiations proposed here: "(1) Weder die Forderung der Kulteinheit und der 'Kultreinheit' noch die Anklage des Volkes neben dem der betreffenden Könige lassen sich literargeschichtlich voneinander scheiden, ohne das literarische Gefüge aufzulösen. (2) Dem korrespondiert, dass sowohl Kulteinheit und 'Kultreinheit' als auch die Verantwortung von König und Gottesvolk jeweils einen unauflöslichen Sachzusammenhang bilden. Sie lassen sich konzeptionell 'unterscheiden', aber sachlich und kompositionell nicht 'scheiden'. (3) Die dtr Königsbeurteilungen geben eine hochgradige Orientierung an vorgegebenen Überlieferungen zu erkennen: Wo der dtr Verfasser/Kompositor in den Vorlagen Anhaltspunkte für eine Profilierung im Sinne seiner Programmatik findet, zögert er nicht, diese Anhaltspunkte auszugestalten und deuteronomistisch zu deuten. Er kann auch Reflexionsstücke etc. einbauen; an keiner Stelle sind jedoch freie Transformationen älterer Überlieferung nachweisbar" (283). Yet, it is noticeable that Exod 32 is "democratizing" "Jeroboam's sin" from 1 Kgs 12, so that at least in this respect, two clearly separable perspectives ("people"/"king") can be distinguished. As for the alleged unity of "Kulteinheit" and "Kultreinheit," a decision depends on how much literary-critical distinction one allows regarding the texts in question. In addition, it is comprehensible that the gauge of cult centralization implies a certain *implicit* amount of "Kultreinheit," but this does not yet amount to an equivalent of the first commandment of the Decalogue.

[37] See E. AURELIUS, "Der Ursprung des Ersten Gebots," *ZTK* 100 (2003), 1–21, here 4.

ment include the northern kingdom's persistence in the transgression of Jeroboam[38] and the southern kingdom's multitude of cultic sites.[39]

It is worth noting that the (multilayered[40]) royal assessments probably originated in a preexilic version of (*Samuel?–)Kings. This was already observed by Julius Wellhausen[41] and then by a broad line of research in the wake of Frank Moore Cross's work,[42] and in contrast to classic twentieth-century German-speaking "Deuteronomism" research. This preexilic setting is especially apparent in view of these assessments' matter-of-fact organization around the problem of cult centralization. That is, they originally functioned not to explain the catastrophe of 587 B.C.E. but rather to explain the necessity of the Josianic reform based on the negative evaluations of all northern (and some southern) kings and based on the destruction of the northern kingdom.[43] In addition to the conspicuous "until this day" passages (e.g. 1 Kgs 8:8;

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[38] See 1 Kgs 12:25–30 (Jeroboam I); 15:25f. (Nadab); 15:33f. (Baasha); 16:18f. (Zimri); 16:25f. (Omri); 16:*29–33 (Ahab); 22:52f. (Ahaziah); 2 Kgs 3:1–3 (Jehoram); 10:29 (Jehu); 13:1f. (Jehoahaz); 13:10f. (Jehoash); 14:23f. (Jeroboam II); 15:8f. (Zechariah); 15:17f. (Menahem); 15:23f. (Pekahiah); 15:27f. (Pekah); 17:1f. (Hoshea).

[39] 1 Kgs 3:2f. (Solomon); 14:22 (LXX: Rehoboam; MT: Judah); 15:1–3 (Abijam); 15:*11–15 (Asa); 22:41–45 (Jehoshaphat); 2 Kgs 8:16–19 (Jehoram); 8:25–27 (Ahaziah); 12:1–4 (Jehoash); 14:1–4 (Amaziah); 15:1–4 (Azariah); 15:32–35 (Jotham); 16:1–4 (Ahaz); 18:*2–7 (Hezekiah); 21:1f. (Manasseh); 21:*19–22 (Amon); 22:1f. (Josiah); 23:31f. (Jehoahaz); 23:36f. (Jehoiakim); 24:8f. (Jehoiachin); 24:17–20 (Zedekiah).

[40] See further H. WEIPPERT, "Die 'deuteronomistischen' Beurteilungen der Könige von Israel und Juda und das Problem der Redaktion der Königsbücher," *Bib* 53 (1972), 301–339; A. LEMAIRE, "Vers l'histoire de la rédaction des livres des Rois," *ZAW* 98 (1986), 221–236; E. AURELIUS, *Zukunft jenseits des Gerichts: Eine redaktionsgeschichtliche Studie zum Enneateuch* (BZAW 319; Berlin: de Gruyter, 2003), 21–70.

[41] WELLHAUSEN stated "dass die eigentliche Abfassung des Buches Könige noch vor dem Exil statt gefunden hat und nur nachträglich noch eine exilische oder (wenn nicht und) nachexilische Überarbeitung hinzugekommen ist" (*Composition* [see n. 21], 298). The more relevant culmination point of the royal assessments is the account in 2 Kgs 22f.: "Der Schriftsteller, der dies Skelett des Buchs der Könige gebildet hat, steht mit Leib und Seele zu der Reformation Josias" (295).

[42] See F.M. CROSS, "The Themes of the Book of Kings and the Structure of the Deuteronomistic History," in *Canaanite Myth and Hebrew Epic: Essays in the History of Religion of Israel* (Cambridge: Harvard University Press, 1973), 274–289; subsequently, R.D. NELSON, *The Double Redaction of the Deuteronomistic History* (JSOTSup 18; Sheffield: JSOT Press, 1981); G.N. KNOPPERS, *Two Nations Under God: The Deuteronomistic History of Solomon and the Dual Monarchies* (2 vols.; HSM 52–53; Atlanta: Society of Biblical Literature, 1993–1994), 1.51f.; E. EYNIKEL, *The Reform of Josiah and the Composition of the Deuteronomistic History* (OTS 33; Leiden: Brill, 1996); M.A. SWEENEY, *King Josiah of Judah: The Lost Messiah of Israel* (Oxford: Oxford University Press, 2001). For an extensive history of research, see RÖMER and DE PURY, "L'historiographie deutéronomiste" (see n. 13), 47–50.

[43] Differently, and consistent with the mainstream of German-speaking scholarship, see the detailed treatment of AURELIUS (*Zukunft* [see n. 40], 39–57, 207f.), who supports the problematic exilic dating of the demand for cult centralization (40f., 44). Contra Aurelius (41 n. 77, there opposing OTTO's *Deuteronomium* [see n. 31], 72), the Deuteronomic attachment of Israel to Yahweh (instead of to the king, as one would expect with the Neo-Assyrian norm)

9:21; 10:12; 12:19; 2 Kgs 8:22) that seem to presuppose the situation of the monarchy,[44] the following points support a preexilic setting: 1) the observation that a reflection on the downfall of Judah in the style of 2 Kgs 17 is absent in the book of Kings[45] (in 2 Kgs 17, vv. 19f. have been inserted); and 2) the apparently secondary attempts in the Manasseh passages (2 Kgs 23:26; 24:3) theologically to annul[46] the contribution of the Josianic reform, as well as

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is explainable not from the collapse of the monarchy but more likely from pan-Israelite interests. The oft-cited and not easily dismissible problem that 2 Kgs 23 contains no persuasive literary conclusion (on 2 Kgs 23:25f., see AURELIUS, *Zukunft*, 48f.) should not be granted too much weight. The supposition that literary beginnings and endings each should have survived word for word is, from a historical perspective, neither generally assumed nor securely demonstrated. On the discussion of the Josianic reform, see M. ARNETH, "Die antiassyrische Reform Josias von Juda: Überlegungen zur Komposition und Intention von 2 Reg 23:4–15," *ZAR* 7 (2001), 189–216; W.B. BARRICK, *The Kings and the Cemeteries: Toward a New Understanding of Josiah's Reform* (VTSup 88; Leiden: Brill, 2002); O. LIPSCHITS, *The Fall and Rise of Jerusalem: Judah under Babylonian Rule* (Winona Lake, Ind.: Eidenbrauns, 2005), 11–29; C. UEHLINGER, "Was There a Cult Reform under King Josiah? The Case for a Well-Grounded Minimum," in *Good Kings and Bad Kings: The Kingdom of Judah in the Seventh Century BCE* (ed. L.L. Grabbe; London: T&T Clark, 2007), 279–316; M. PIETSCH, "Steine – Bilder – Texte: Überlegungen zum Verhältnis von Archäologie und biblischer Exegese am Beispiel der josianischen Reform," *VF* 53 (2008), 51–62.

[44] See WELLHAUSEN, *Composition* (see n. 21), 298; A. MOENIKES, "Zur Redaktionsgeschichte des sogenannten Deuteronomistischen Geschichtswerks," *ZAW* 104 (1992), 333–348, here 335f.; J. GEOGHEGAN, "'Until this Day' and the Preexilic Redaction of the Deuteronomistic History," *JBL* 122 (2003), 201–227; IDEM, *The Time, Place, and Purpose of the Deuteronomistic History: The Evidence of "Until this Day"* (BJS 347; Providence, R.I.: Brown University Press, 2006). The evidence is differently assessed by F. BLANCO WISSMANN, "*Er tat das Rechte …": Beurteilungskriterien und Deuteronomismus in 1Kön 12–2Kön 25* (ATANT 93; Zürich: Theologischer Verlag, 2008), 242; PERSON, *Deuteronomic School* (see n. 18), 113–116.

[45] On 2 Kgs 24, see K. SCHMID, "Manasse und der Untergang Judas: 'Golaorientierte' Theologie in den Königsbüchern?" *Bib* 78 (1997), 87–99; alternatively, C.R. SEITZ, *Theology in Conflict: Reactions to the Exile in the Book of Jeremiah* (BZAW 176; Berlin: de Gruyter, 1989), 164–200.

[46] On the question of a preexilic "Deuteronomistic History," see the works in the wake of CROSS's "Themes" (see n. 42), which fostered the different approaches of WEIPPERT, "'Deuteronomistischen' Beurteilungen" (see n. 40); W.B. BARRICK, "On the 'Removal of the High Places' in 1–2 Kings," *Bib* 55 (1974), 257–259; LEMAIRE, "Vers l'histoire" (see n. 40); I. PROVAN, *Hezekiah and the Book of Kings* (BZAW 172; Berlin: de Gruyter, 1988); B. HALPERN and D.S. VANDERHOOFT, "The Editions of Kings in the 7th–6th Centuries B.C.E.," *HUCA* 62 (1991), 179–244; MOENIKES, "Zur Redaktionsgeschichte" (see n. 44); RÖMER, *So-Called Deuteronomistic History* (see n. 17), 67–103; H.-J. STIPP, "Ende bei Joschija: Zur Frage nach dem ursprünglichen Ende der Königebücher bzw. des deuteronomistischen Geschichtswerks," in *Das deuteronomistische Geschichtswerk* (ed. H.-J. Stipp; ÖBS 39; Frankfurt am Main: Peter Lang, 2011), 225–267, see also VEIJOLA, "Deuteronomismusforschung" (see n. 2).

the post-Josiah assessments' (23:32, 37; also, 24:9, 19) sweeping condemnation[47] of all kings after him. After the destruction of Judah, this editorial activity – consistent with ancient Near Eastern royal ideology that holds the king accountable for the state's well-being and trouble alike – enabled the royal assessments in their reception to be understandable as grounds for the catastrophe of 587 B.C.E.

Second, at the next level, the charge of having contravened the principle of a single cultic site expands into the charge of idolatry, connoting a violation of the first (and depending on one's counting, the second) commandment.[48] Interesting at this point is the observation that the cult of the high places that previously qualified as permissible, albeit improperly located (i.e. noncentralized) Yahweh worship – the Judean kings who "did what was right in Yahweh's eyes" could receive positive assessment without abolishing the high places – now falls into the category of "idolatry" and is interpreted accordingly (see esp. 2 Kgs 17:9–12 and 1 Kgs 14:22–24).[49]

Third and finally, one can observe a conceptual level for which the criterion for evaluations is "all that Moses the servant of Yahweh had commanded" (2 Kgs 18:22). This language points not to the violation of a primary commandment but rather to the violation of the Torah's commandments in general.[50]

This three-pronged conceptual schema seems *prima facie* to find parallels with the basic phases of Deuteronomy's literary development.[51] Just as cult centralization originally stood in the foreground of Deuteronomy, so also the kings were initially gauged according to this measure. Next, based on its connection with the Decalogue, Deut 5[52] promoted the first commandment as the criterion for assessment even in the narrative books. At a later time, when the Torah including Deuteronomy was formed, the Torah's observance as a whole became necessary.

However, from a redaction-historical perspective, Deuteronomy and the Former Prophets do not evince such a straightforward connection. A literary connection is unlikely between "Ur"-Deuteronomy, which the centralization

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[47] Contrary to recent denials, 2 Kgs 23:32, 37 can legitimately be interpreted as the closest correspondence. See further n. 63.

[48] See Exod 20:2–6; 23:13, 23f.; Josh 23:6f., 16; 1 Sam 7:3f.; 8:8; 12:10; 26:19; 1 Kgs 9:6, 8f.; 11:1f., 9f.; 14:7–9; 16:30–33; 18:17f.; 21:25f.; 22:54; 2 Kgs 10:18; 17:15–35, 38f.; 21:2, 21; 22:17.

[49] See PROVAN, *Hezekiah* (see n. 46), 60–90.

[50] See Josh 1:7f.; 8:30f.; 22:5; 23:6f.; 1 Kgs 2:1–3; 6:11–13; 2 Kgs 10:31; 14:6; 18:6, 12; 21:7f.; 22:8, 10f.; 23:1–3, 25.

[51] Taken together, the criteria of R. ALBERTZ (*Die Exilzeit: 6. Jahrhundert v.Chr.* [BE 7; Stuttgart: Kohlhammer, 2001], 220) are too simple, redaction-historically speaking. See his position on the authorship of the "Deuteronomistic History" (214).

[52] See further OTTO, *Deuteronomium im Pentateuch* (see n. 2), 111–129.

principle shapes, and the older royal assessments, which generally predate the first commandment (or even later, the Torah). In the royal assessments, the principle of centralization is indeed the concern, but not for the present formulations. R.G. Kratz contends: "instead of 'any place' and 'your gates' in Deuteronomy Kings speaks of the 'high places'; the Deuteronomic 'place which YHWH has chosen to make his name dwell there' occurs only in secondary passages in the scheme of 1–2 Kgs (1 Kgs 14.21; 2 Kgs 21.4, 7; 23.26 [sic], also 1 Kgs 8; 9.3; 11.13, 32), and conversely the formula typical of Kings 'do right/evil in the eyes of YHWH' occurs in Deuteronomy only in secondary passages (Deut. 6.18; 12.8, 25, 28; 13.19; 21.9.)"[53]

The framework of Kings does not explicitly endorse Deut 12 as its criterion for assessment. More precisely, with the southern kings[54] the criterion is usually the conduct of the predecessor – and/or a comparison with David (1 Kgs 3:3; 15:3; 2 Kgs 14:3; 16:2; 22:2) – and with the northern kings it is usually persistence in the way of Jeroboam I. Cult centralization is of course the issue, but merely identifying this issue leaves a great deal unresolved. Moreover, the criterion of Deut 12 plays no role in the reflective Deuteronomistic passages in Joshua and Judges, showing the lack of redactional cohesion between Deuteronomy and Kings. The implication is that the oldest assessments of the kings might not have known a literary Deut 12, and certainly not Deut 12 as the introduction in one and the same literary work. One could therefore ask whether Deut 12 presupposes[55] these royal assessments and systematizes them based on a "primary command" to be followed above all else. The liter-

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[53] KRATZ, *Composition* (see n. 2), 163 (*Komposition*, 166: "Statt von 'jedem Ort' und 'deinen Toren' in Dtn ist in Reg von den 'Höhen' die Rede, der deuteronomische 'Ort' den Jhwh erwählt hat, um seinen Namen dort wohnen zu lassen' kommt nur an sekundären Stellen im Schema von I–II Reg [I Reg 14,21; II Reg 21,4.7; 23,27, ferner I Reg 8; 9,3; 11,13.32], umgekehrt die für Reg typische Formel, das Rechte/Böse tun in den Augen Jhwh's nur an sekundären Stellen im Deuteronomium vor [Dtn 6,18; 12,8.25.28; 13,19; 21,9]"); see also G.N. KNOPPERS, "Solomon's Fall and Deuteronomy," in *The Age of Solomon: Scholarship at the Turn of the Millennium* (ed. L.K. Handy; SHCANE 11; Leiden: Brill, 1997), 392–410, here 402f., and the comprehensive discussion in BLANCO WISSMANN, *Er tat das Rechte* (see n. 44), 31–173.

[54] Of the southern kings, only Joram and Ahaziah receive negative assessment (2 Kgs 8:18, 27), since they were related to and conducted themselves like Ahab.

[55] This possibility is especially suggestive if – as considered above – the core of the royal assessments dates back to the monarchic period. The terminological incongruence between Deut 12 and the royal assessments is more plausibly explainable if we understand Deut 12 as a later judicial systematizing of their basic idea in a linguistically unique form, which avoids the assumption that the royal assessments had actually known the purpose of Deut 12 but had not accounted for its wording. CLEMENTS accepts a similar view of the purpose of Deut 12 and "Deuteronomistic texts" in *Sam–Kgs, opting for an exilic setting for Deut 12 (see "Deuteronomic Law of Centralisation" [see n. 31], 5–25 [esp. 13f.]).

ary horizon of the oldest royal assessments apparently does not extend beyond Samuel–Kings,[56] which incidentally calls to mind Frank Moore Cross's[57] famous double theme of the Deuteronomic History: the dynastic promise to David and the sin of Jeroboam, a motif likewise confining itself to Samuel–Kings (see 2 Sam 7 and 1 Kgs 12).

Only on the level of the first commandment do the formulations in the Former Prophets (now inclusive of Josh and perhaps Judg) accord with those in Deuteronomy and point to a literary cross-linkage, though this linkage probably reaches back beyond Deuteronomy to at least Exodus. For, on the one hand, Deuteronomy offers a syntactic but nonetheless inadequate beginning point and, on the other hand (as shown above in section 2), it exhibits a prominent "Decalogical" connection with the preceding narrative in Exodus–Numbers.

At the end of this development, there can finally be explicit reference to the "law of Moses" and related locutions (Josh 8:31f.; 23:6; 1 Kgs 2:3; 2 Kgs 14:6; 18:6; 21:8; 22:8–13; 23:25). At this point, we find the underlying standard to be the written law, probably referring to the Torah in its entirety.[58]

2) *Who in general is numbered among those responsible?* In the historical books, there are four major perspectives. First, blame for the catastrophe falls on the negatively assessed kings;[59] second, on all kings;[60] third, on the people;[61] and fourth, on Manasseh alone.[62]

The first perspective emerges by and large from the royal assessments: the book of Kings mentions both positively and negatively assessed rulers, the latter of which seem to have been the decisive factor leading to judgment. The people certainly play a role here as well, inasmuch as they are either tempted by the kings or cannot be swayed by them. But the people do not amount to a self-governing agent.

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[56] See AURELIUS, "Ursprung" (see n. 37), 3f. and n. 6.

[57] See CROSS, "Themes" (see n. 42).

[58] In the German-speaking realm, these references to the law have often been attributed to "DtrN" (see E. WÜRTHWEIN, *Die Bücher der Könige: 1. Kön 17–2. Kön 25* [ATD 11/2; Göttingen: Vandenhoeck & Ruprecht]), 371, 410). But his proposal is too narrow and is conceptualized within the borders of Noth's "DtrH"; see n. 19. "Deuteronomistic" texts cannot be limited to the time of the Babylonian exile and therefore one has to take into account, for secondary "Deuteronomistic," texts the developing literary history of Deut in the Pentateuch itself. As a consequence, the "law of Moses" is not necessarily just the text of Deut.

[59] I.e., all the kings of the northern and southern kingdoms alike, with the exception of Hezekiah (2 Kgs 18:*2–7) and Josiah (2 Kgs 22:1f.) and, to a certain extent, Asa (1 Kgs 15:*11–15), Joash (2 Kgs 12:1–4), Azariah (2 Kgs 15:1–4) and Jotham (2 Kgs 15:32–35).

[60] 2 Kgs 23:31ff.; 23:36f.; 24:8f.; 24:17–20; see further n. 63.

[61] 1 Kgs 9:6–9; 2 Kgs 17:7–20.

[62] 2 Kgs 23:26; 24:3; cf. 2 Kgs 21:1–18.

The second perspective is based on the assessments of the last four Judean kings in 2 Kgs 23:26–25:30. As Vanoni has emphasized, the judgments presented here differ linguistically as well as functionally from the other royal assessments.[63] Especially noteworthy is the fact that the negative verdict precedes the refrain "just like his fathers had done" (23:32, 37; cf. 24:9, 19, "just like his father/Jehoiakim had done"). Thus, a sweeping judgment categorically targets the kings, assigning, at least implicitly, a negative verdict to them all.

The third perspective, which holds the entire people accountable, is prepared within the historical books by Exod 32, the ("exilic, at the earliest"[64]) narrative of the golden calf that transfers the sin of Jeroboam not only to Aaron as an instigator but also to the people as wholly complicit.[65] This perspective also turns up in redactional interpretive passages in Joshua and Judges and eventually receives attention again in 1 Kgs 9:6–9 and 2 Kgs 17:7–20 where, unlike the older perspective in 2 Kgs 17:21–23 that attributes the northern kingdom's demise to Jeroboam's sin, the blame falls on Israel as a

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[63] G. VANONI, "Beobachtungen zur deuteronomistischen Terminologie in 2Kön 23,25–25,30," in *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (ed. N. Lohfink; BETL 68; Leuven: Peeters, 1985), 357–362. Making reference to RÖMER (*Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Literatur* [OBO 99; Fribourg: 1990, 284]), AURELIUS (*Zukunft* [see n. 40], 45–47) contends that the last four assessments distance themselves from the preceding ones and that 2 Kgs 23:32, 37 should be understood as generalizations. But among the texts in question, only one is formulated precisely according to 2 Kgs 23:32, 37 with "fathers" in the plural: namely, 2 Kgs 15:9. It is here that this formulation makes particular sense, since Zechariah is the last visible representative of the Jehu dynasty (see AURELIUS, *Zukunft*, 46). Accordingly, 2 Kgs 23:32, 37 takes as its central theme the Davidic dynasty as a whole. This probably also accounts for the divergent formulations with Jehoiachin ("his father," 24:9) and Zedekiah ("Jehoiakim," 24:19), who, following the commencement of Nebuchadnezzar's domination, could no longer qualify as valid representatives of the Davidic dynasty (correspondingly in Jer 36:29–31, note the demolition of the Davidic dynasty in the fourth year of Jehoiakim and the simultaneous transfer of power to Nebuchadnezzar in Jer 25:1, 9 ["Nebuchadnezzar, my servant"]; see further SCHMID, *Buchgestalten* [see n. 4], 226, and J. WÖHRLE, "Die Rehabilitierung Jojachins: Zur Entstehung und Intention von 2 Kön 24,17–25,30," in *Berührungspunkte: Studien zur Sozial- und Religionsgeschichte Israels und seiner Umwelt* [ed. I. Kottsieper *et al.*; AOAT 350; Münster: Ugarit Verlag, 2008], 213–238). See also L. CAMP, *Hiskija und Hiskijabild: Analyse und Interpretation von 2Kön 18–20* (Altenberge: Telos, 1990), 17–21; B. LEHNART, *Prophet und König in Nordreich Israel: Studien zur sogenannten vorklassischen Prophetie im Nordreich Israel anhand der Samuel-, Elija- und Elischaüberlieferungen* (VTSup 96; Leiden: Brill, 2003), 10f. n. 16, 20.

[64] J.C. GERTZ, "Beobachtungen zur Komposition und Redaktion in Ex 32–34," in *Gottes Volk am Sinai: Untersuchungen zu Ex 32–34 und Dtn 9–10* (ed. E. Blum and M. Köckert; VWGTh 18; Gütersloh: Gütersloher, 2001), 88–106, here 98.

[65] See GERTZ, "Beobachtungen" (see n. 64), 99.

people. Additionally, in the context of Rehoboam's rise to power in 1 Kgs 14:21f., the description of Judah is relevant: "Now Rehoboam the son of Solomon became king over Judah. Rehoboam was forty-one years old when he became king and he reigned seventeen years in Jerusalem […]. *And Judah* (LXX: Rehoboam[66]) *displeased Yahweh* […]." With Judah's first king, Rehoboam, it is not the king but rather the people who undergo judgment, strategically clarifying at the beginning of the reading sequence that all of Judah bears responsibility.

Finally, the fourth perspective, which makes Manasseh alone responsible for the catastrophe, is a special case. It concerns the passages, treated elsewhere,[67] that imply a *golah*-oriented redaction in 2 Kgs 21–24, similar to what we see in Jeremiah and Ezekiel.[68] This editorial reworking of the book of Kings perceives the events of 587 B.C.E. as the decisive judgment and explains them exclusively with the sins of Manasseh (2 Kgs 24:3f.), fitting in seamlessly with the needs of the first *golah*: a self-characterization as undeserving of exile insofar as they are the deported "good figs" of Jer 24.

These four perspectives distinguishing between the alleged carriers of responsibility can now be tied back into the question of the underlying standard. It seems rather clear that the first two perspectives are essentially based on cult centralization, whereas the third perspective clearly presupposes the first commandment. The same holds true for the fourth perspective. Moreover, the assignment of blame to Manasseh, the scapegoat of *golah*-oriented theology in Kings, demonstrates conspicuous intertextual connections to the Moab covenant in Deut 29.[69] In the judicial reasoning of 2 Kgs 24:4, the text says that Yahweh "did not want to forgive" Manasseh (לא־אבה יהוה לסלח). Although the Mosaic fiction precludes any mention of Manasseh's name, this

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[66] See M. NOTH (*Könige*, *1* [BKAT 9/1; Neukirchen-Vluyn: Neukirchener, 1968], 323): "Am wahrscheinlichsten hat hinter ויעש kein Subjekt gestanden; daher sind sekundär verschiedene Subjekte eingesetzt worden. G hat sachlich richtig ergänzt."

[67] SCHMID, "Manasse" (see n. 45).

[68] See the seminal discussion in K.F. POHLMANN, *Studien zum Jeremiah* (FRLANT 118; Göttingen: Vandenhoeck & Ruprecht, 1978). Additionally, see SCHMID, *Buchgestalten* (see n. 4), 253–269.

[69] On Deut 29 in current research, see OTTO, *Deuteronomium im Pentateuch* (see n. 2), 129–155; for this text at an earlier stage, see N. LOHFINK, "Der Bundesschluß in Land Moab: Redaktionsgeschichtliches zu Dt 28,69–32,47," *BZ* 6 (1962), 32–56, republished in *Studien zum Deuteronomium und zur deuteronomistischen Literatur II* (SBAB 12; Stuttgart: Katholisches Bibelwerk, 1991), 87–106; also, A. ROFÉ, "The Covenant in the Land of Moab (Dt 28,69–30,20): Historico-literary, Comparative, and Form-critical Considerations," in *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (ed. N. Lohfink; BETL 68; Leuven: Peeters, 1985), 310–320; A. CHOLEWINSKI, "Zur theologischen Deutung des Moabbundes," *Bib* 66 (1985), 96–111.

formulation in Deut 29:19 constitutes a significant parallel and was probably written about Manasseh from the outset.[70]

For the Torah perspective of 2 Kgs 18:(5–)12 that evaluates Israel through the lens of the Mosaic law, Aurelius has shown that the opening scene for this point of view is in Exod 19:3b–8,[71] which declares Israel a "priestly" people.[72] In the general context, there is an effort to incorporate all Israelites into the realm of priestly responsibility and to recognize Yahweh as the sole king over Israel. The Torah therefore holds everyone accountable as a member of a "kingdom of priests."

4. Summary

What provisional conclusions and viewpoints can we now articulate?

1. The connection between Deuteronomy and its preceding context is most evident from the double placement of the Decalogue in Exod 20 and Deut 5 as well as from Deut 1:5 + 4:1, 5f.: Deuteronomy is the Mosaic explanation of the Sinai legislation. The mutual identity of both the Sinai and the Transjordanian legislation is secured by both Decalogues. The diachronic classification of their redacted contextual integration is currently contested and must remain open for the time being.[73]

2. It appears that the oldest royal assessments use the centralization edict as a gauge but are not familiar with a literary Deuteronomy. Instead, one might even suspect that Deuteronomy with its demand for centralization has been developed from the royal assessments.[74] Literary connections to Deuteronomy are observable through the standard of the first commandment and, subsequently, through the "Torah of Moses."

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[70] Furthermore, notice that the lexeme מחה, "to wipe out," from Deut 29:19 is featured in Josh–Kgs, with the notable exceptions of Judg 21:17 (Benjamin and Israel) and 2 Kgs 14:27 (the name of Israel), becoming prominent again only in the Manasseh passage, 2 Kgs 21:10–15 (note v. 13), with three occurrences. Indeed, Manasseh's sins clearly presuppose the first commandment, but evidently Manasseh is also depicted as the one who breaks the Moab covenant of Deut 29.

[71] See AURELIUS, *Zukunft* (see n. 40), 95–110, 141–168; A. SCHENKER, "Drei Mosaiksteinchen: 'Königreich von Priestern', 'Und ihre Kinder gehen weg', 'Wir tun und wir hören' (Exodus 19,6; 21,22; 24,7)" in *Studies in the Book of Exodus: Redaction – Reception – Interpretation* (ed. M. Vervenne; BETL 126; Leuven: Peeters, 1996), 367–380.

[72] For extensive discussion of the unique expression ממלכות כהנים, see AURELIUS, *Zukunft* (see n. 40), 146–149.

[73] See above, n. 24.

[74] See above, n. 55.

3. The literary connections to Deuteronomy, before as well as after it, emerge through one and the same standard – namely, the Decalogue. This observation indicates that Deuteronomy, with its literary incorporation into the historical books, was from the outset adjusted "Decalogically" to the preceding and subsequent contexts. And above all, in contrast to the classical theory of an independent Deuteronomy–2 Kings composition, the redactional integration of Deuteronomy into a literary setting that was probably already determined in terms of what comes before, namely Exodus–Numbers (and later, Gen–Num), since Deuteronomy does not offer a sufficient narrative introduction.[75]

4. Regarding the thesis of a "Deuteronomistic History,"[76] it is clear in view of these considerations that this expression is only correct in the plural.[77] There were various "Deuteronomistic Histories" in the Enneateuch. One can discern an initial "Deuteronomistic History" in Samuel–2 Kings that was shaped not by Deut 12 but by the cult centralization in Jerusalem. Another "Deuteronomistic History" is perceptible in Exodus–Joshua + Samuel–2 Kings and is shaped by the first commandment, deriving its theological thrust through the literary arches of Exod 32 and 1 Kgs 12 as well as through the twofold theme of "exodus from Egypt" and "return to Egypt" in 2 Kgs 25:26 ("From Egypt to Egypt"[78]). Finally, a third and, to my mind, post-Priestly[79] "Deuteronomistic History" is recognizable in Genesis–2 Kings, which is already dominated by the notion of the "Torah of Moses" that it applies to the story. Genesis–2 Kings also coins the great literary inclusion stretching from Joseph in Egypt to King Jehoiachin at the table of the Babylonian king Amel-Marduk, thereby representing a diaspora theology for Israel.

5. From a literary- and theological-historical angle, the following process is discernible for the functional and structural changes of Deuteronomy within

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[75] See above, n. 15.

[76] For the history of research, see RÖMER and DE PURY, "L'historiographie deutéronomiste" (see n. 13), 9–120; G.N. KNOPPERS, "Introduction," in *Reconsidering Israel and Judah: Recent Studies on the Deuteronomistic History* (Winona Lake, Ind.: Eisenbrauns, 2000), 1–18; IDEM, "Is There a Future for the Deuteronomistic History?" in *The Future of the Deuteronomistic History* (ed. T. Römer; BETL 97; Leuven: Peeters, 2000), 119–134; W. DIETRICH, "Deuteronomistisches Geschichtswerk" (see n. 4).

[77] See the title formulations of FREVEL, "Deuteronomistisches Geschichtswerk" (see n. 17), 60–95; WITTE *et al*., *Deuteronomistischen Geschichtswerke* (see n. 17).

[78] See R.E. FRIEDMAN, "From Egypt to Egypt: Dtr^1 and Dtr^2," in *Traditions and Transformation: Turning Points in Biblical Faiths* (ed. B. Halpern and J.D. Levenson; Winona Lake, Ind.: Eisenbrauns, 1991), 167–192.

[79] See SCHMID, *Erzväter und Exodus* (see n. 7), 253–255 (*Genesis and the Moses Story*, 236f.). "Post-Priestly" here means temporally *after the integration* of "P" into its narrative context, pointing to a stage later than the origin of "P" itself.

Genesis–2 Kings. The ("mono-Yahwistic"[80]) "Ur"-Deuteronomy in Deut *6–28 may already presuppose the oldest "Deuteronomistic History" in Samuel–Kings and summarize its implicit criterion in Deut 12,[81] though still without a literary connection to Samuel–Kings. In the form of (at least) Deut *5–30,[82] Deuteronomy becomes part of a larger "Deuteronomistic History" (*Exod–2 Kgs[83]) governed primarily by the Decalogue in Deut 5 (which is conceived in terms of monolatry, a mentality *presupposing, not denying* the existence of other deities!). Only at this point does the Decalogue editorially mold the internal structure of Deuteronomy.[84] Finally, Deut 4 reflects on the expansive context of Genesis–2 Kings. In the wake of the Priestly document[85] that Deut

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[80] See still P. HÖFFKEN, "Eine Bemerkung zum religionsgeschichtlichen Hintergrund von Dtn 6,4," *BZ* 28 (1984), 88–93, which contrasts T. VEIJOLA's perspective on both Deut 6:4 and the first commandment of the Decalogue in "Das Bekenntnis Israel: Beobachtungen zur Geschichte und Theologie von Dtn 6,4–9," *TZ* 48 (1992), 369–381; IDEM, "Höre Israel! Der Sinn und Hintergrund von Deuteronomium VI 4–9," *VT* 42 (1992), 528–541. Although Veijola accepts a redaction-historical connection between these texts, he contends that this meaning is not the primary sense of Deut 6:4. But his case against a mono-Yahwistic understanding of Deut 6:4 is not convincing: the fact that cult centralization is nowhere substantiated explicitly on the grounds of "one Yahweh" is negligible in light of the theological compatibility between Deut 6:4 and a cult centralization that would otherwise lack appropriate conceptual underpinnings. The fact that mono-Yahwism does not undergo further redaction-historical transmission through Deut 6:4 should not be surprising after the first commandment preceding it in Deut 5. AURELIUS ("Ursprung," [see n. 37], 5–7) rightly identifies the religious-political points of Deut 6:4 but strangely continues to uphold Veijola's proposed translation using two nominal clauses, even though this translation neither highlights these points clearly nor follows the typically appositional usage of אלהינו in Deuteronomistic literature (a trait that Aurelius unnecessarily relativizes [see "Ursprung," 5 n. 9]). Note the excellent observations of J. PAKKALA, *Intolerant Monolatry in the Deuteronomistic History* (PFES 76; Göttingen: Vandenhoeck & Ruprecht, 1999), 73–84.

[81] See above, n. 55.

[82] See SCHMID, *Erzväter und Exodus* (see n. 7), 164f.

[83] For a beginning in Exod 2, see SCHMID, *Erzväter und Exodus* (see n. 7), 152–157 (*Genesis and the Moses Story*, 139–144). For the acceptance of an expansive Exod–2 Kgs context as well as the limitation of "KD" to Exod–Deut (+ "DtrG") which amounts to an overall *Exod–2 Kgs context, see E. BLUM, "Die literarische Verbindung von Erzvätern und Exodus: Ein Gespräch mit neueren Endredaktionshypothesen," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion* (ed. J.C. Gertz *et al.*; BZAW 315; Berlin: de Gruyter, 2002), 119–156; IDEM, *Studien zur Komposition des Pentateuch* [BZAW 189; Berlin: de Gruyter, 1990], 107–110; see also KRATZ, *Komposition* (see n. 2), 331 ("Ex 2–2Reg 25") (*Composition*, 326).

[84] See OTTO, *Deuteronomium im Pentateuch* (see n. 2), 115 ("DtrD").

[85] For P's basic monotheistic argumentation, especially its use of the indeterminate אלהים as a proper name, see A. DE PURY, "Gottesname, Gottesbezeichnung und Gottesbegriff: *Elohim* als Indiz zur Entstehungsgeschichte des Pentateuch," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion* (eds. J.C. Gertz *et al.*; BZAW 315; Berlin: de Gruyter, 2002), 25–27; K. SCHMID, "Differenzierungen und Konzeptualisierungen

4 presupposes and utilizes,[86] Deuteronomy becomes a strictly monotheistic standard. Thus, the current textual progression from Deut 4 to Deut 6 mirrors in reverse historical order both the formation and the theology of Deuteronomy in its contexts.[87]

der Einheit Gottes in der Religions- und Literaturgeschichte Israel: Methodische, religionsgeschichtliche und exegetische Aspekte zur neueren Diskussion um den sogenannten 'Monotheismus' im antiken Israel," in *Der eine Gott und die Götter: Polytheismus und Monotheismus im antiken Israel* (ed. M. Oeming and K. Schmid; ATANT 82; Zürich: Theologischer Verlag, 2003), 11–38, here 28–38.

[86] See E. OTTO, "Deuteronomium 4: Die Pentateuchredaktion im Deuteronomiumsrahmen," in *Das Deuteronomium und seine Querbeziehungen* (ed. T. Veijola; PFES 62; Göttingen: Vandenhoeck & Ruprecht, 1996), 196–222; IDEM, *Deuteronomium im Pentateuch* (see n. 2), 168f.

[87] In order to fit the theological profile of Deut's respective contexts, the orientations of the narrative beginnings define the reading perspectives for the following: Gen–2 Kgs begins in Gen 1 (which Deut 4 knows) with a universalist-monotheistic argument; *Exod–2 Kgs starts in Exod *2–4 with a particularist-monotheistic argument; and in accordance with Deut 6:4, the prelude of Deut *6–28 is conceptualized in terms of mono-Yahwism.

The Headings of the Book of Deuteronomy

Reinhard G. Kratz

The book of Deuteronomy not only talks about "a book within the book"[1] but is in itself a book within books. As the fifth book of Moses, Deuteronomy is part of the canonical division of the Torah, forming not only its conclusion but also acting as the boundary or the transition to the canonical division of Nevi'im. It is closely associated with the biblical narrative on both sides of this boundary and, therefore, also part of the *historia sacra* from Gen 1 to 2 Kgs 25. In a contribution to the *Festschrift* honoring Lothar Perlitt published in 2000, I tried to localize the literary-historical place of Deuteronomy between the Torah and the Former Prophets more exactly and, in addition, to examine the book and its earlier literary stages in the context of Pentateuch, Hexateuch, and Enneateuch.[2] The point of departure for my previous contribution was the long-neglected narrative and literary connections that join, in particular, the framework of Deuteronomy in Deut 1–11 and 27–34, but also the body of the laws in Deut 12–26, with the Torah and the Former Prophets. Since the result may be interpreted in different ways, my contribution started a controversy over what connection would constitute a literary context and how such a context would have to be defined.[3] I would like to use this oppor-

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[1] J.-P. SONNET, *The Book within the Book: Writing in Deuteronomy* (BibInt 14; Leiden: Brill, 1997).

[2] R.G. KRATZ, "Der literarische Ort des Deuteronomiums," in *Liebe und Gebot: Studien zum Deuteronomium* (ed. R.G. Kratz and H. Spieckermann; FRLANT 190; Göttingen: Vandenhoeck & Ruprecht, 2000), 101–120. See also IDEM, *The Composition of the Narrative Books of the Old Testament* (trans. J. Bowden; London: T&T Clark, 2005), 114–133; trans. of *Die Komposition der erzählenden Bücher des Alten Testaments* (Göttingen: Vandenhoeck & Ruprecht, 2000), 118–138; IDEM, "Der vor- und der nachpriesterschriftliche Hexateuch," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion* (ed. J.C. Gertz *et al*.; BZAW 315; Berlin: de Gruyter, 2002), 295–323; IDEM, "The Pentateuch in Current Research: Consensus and Debate," in *The Pentateuch: International Perspectives on Current Research* (ed. T.B. Dozeman *et al*.; FAT 78; Tübingen: Mohr Siebeck, 2011), 31–61.

[3] E. OTTO, *Das Deuteronomium im Pentateuch und Hexateuch: Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumrahmens* (FAT 30; Tübingen: Mohr Siebeck, 2000); J.C. GERTZ, "Kompositorische Funktion und literarhistorischer Ort von Deuteronomium 1–3," in *Die deuteronomistischen Geschichtswerke: Redaktions-*

tunity to address this question again, albeit from a different angle. In this paper I will investigate the various headings in Deuteronomy and ask whether they introduce a single book or a larger literary work consisting of several books, or if perhaps they are markers for both a break and the continuation of the narrative within a larger unit consisting of several books.

1. Deuteronomy 1:1–5

Let me begin with the verses that open the book of Deuteronomy as we have it today (Deut 1:1–5)[4]:

1:1 אלה הדברים אשר דבר משה אל־כל־ישראל בעבר הירדן
במדבר בערבה מול סוף בין־פארן ובין־תפל ולבן וחצרת ודי זהב׃
1:2 אחד עשר יום מחרב דרך הר־שעיר עד קדש ברנע׃
1:3 ויהי בארבעים שנה בעשתי־עשר חדש באחד לחדש דבר משה אל־בני ישראל
ככל אשר צוה יהוה אתו אלהם׃
1:4 אחרי הכתו את סיחן מלך האמרי אשר יושב בחשבון ואת עוג מלך הבשן
אשר־יושב בעשתרת באדרעי׃
1:5 בעבר הירדן בארץ מואב הואיל משה באר את־התורה הזאת לאמר׃

1:1 These are the words that Moses addressed to all Israel on the other side of the Jordan. – Through the wilderness, in the Arabah near Suph, between Paran and Tophel, Laban, Hazeroth, and Di-Zahab, 2 it is eleven days from Horeb to Kadesh-Barnea by the Mount Seir route. 3 It was in the fortieth year, on the first day of the eleventh month, that Moses addressed the Israelites in accordance with the instructions that the LORD had given him for them, 4 after he had defeated Sihon king of the Amorites, who dwelt in Heshbon, and King Og of Bashan, who dwelt at Ashtaroth and Edrei. 5 On the other side of the Jordan, in the land of Moab, Moses undertook to expound this Torah. He said: […]

The heading provides information about the author, the addressee, the place, and the time of "the words of Moses" that will begin in Deut 1:6. Some scholars find an elaborate, concentric, or chiastic construction,[5] while others see the

und religionsgeschichtliche Perspektiven zur "Deuteronomismus"-Diskussion in Tora und Vorderen Propheten (ed. M. Witte *et al*.; BZAW 365; Berlin: de Gruyter, 2006), 103–123; E. BLUM, "Pentateuch – Hexateuch – Enneateuch? Oder: Woran erkennt man ein literarisches Werk in der hebräischen Bibel?" in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque* (ed. T. Römer and K. Schmid; BETL 203; Leuven: Leuven University Press, 2007), 67–97.

[4] The translation of biblical texts is quoted – with a few changes – according to NJPS.

[5] N. LOHFINK, "Der Bundesschluß im Lande Moab: Redaktionsgeschichtliches zu Dt 28,69–32,47," in *Studien zum Deuteronomium und zur deuteronomistischen Literatur, Vol. I* (SBAB 8; Stuttgart: Katholisches Bibelwerk, 1990), 53–82, here 53 n. 2; J.H. TIGAY, *Deuteronomy* (JPSTC 5; Philadelphia: Jewish Publication Society, 1996), 3–5 (chiastic order, p. 3):

A. The site of Moses' addresses (1)

result of a complicated literary history in the convoluted verses.[6] In any case, initially the verses must be seen as a unity.

In this unity, "the words of Moses" (v. 1) are identical with "this Torah" (v. 5), which can only mean the book of Deuteronomy. Moses spoke the words that have been written in this book "to all Israel" or "the Israelites" (v. 3) and "undertook to explain this law" (v. 5)[7] "in accordance with the instructions that the LORD had given him for them" (v. 3). The place where Moses delivered the speech is mentioned as being "on the other side of the Jordan (in the land of Moab)," which, however, is only the last station of the forty-year journey through "the desert." In anticipation of the historical retrospective in Deut 1–3, individual stations on this journey are mentioned in vv. 1–2, where Moses is also said to have given speeches.[8] Verses 3–4 give a precise date and mention the place of departure "on the other side of the Jordan, in the land of Moab" and thus come back to the day and the place where Moses is going to die (Deut 32:48–50; 34:5).

With regard to the wording, the heading is full of literary allusions and linkages to other literary contexts. The formulations point to the books of Exodus–Numbers and Joshua as well as to Deuteronomy itself. These literary linkages demonstrate that the present shape of Deuteronomy, which is introduced by Deut 1:1–5, cannot be separated from the literary context in which it is now situated and must, therefore, be read and understood in this context. The superscription of the book of Deuteronomy has already determined its place in the biblical narrative, i.e., the *historia sacra* between Numbers and Joshua, or between Torah and Former Prophets, respectively.

We must, however, distinguish between literary allusions, which simply refer to another context without constituting a literary relationship, and linkages, which also constitute a relationship between the literary corpora or texts involved. In particular, the geographical details (Siph, Paran, Laban, Hazerot,

B. The foreshadowing of the first message of the first address in 1:19–46 (2)
C. The date when Moses began these addresses (3)
B'. The foreshadowing of the second message of the first address (4)
A'. The site where he delivered his addresses (5)

[6] G. BRAULIK, *Deuteronomium 1–16,17* (NEB.AT 15; Würzburg: Echter Verlag, 1986), 21; L. PERLITT, *Deuteronomium* (BKAT 5/1–5; Neukirchen-Vluyn: Neukirchener, 1990–2008), 6–7; T. VEIJOLA, *Das 5. Buch Mose: Deuteronomium Kapitel 1,1–16,17* (ATD 8/1; Göttingen: Vandenhoeck & Ruprecht, 2004), 7–8.

[7] For the meaning of the phrase הואיל משה באר את־התורה הזאת, see PERLITT, *Deuteronomium* (see n. 6), 22–23; VEIJOLA, *Das 5. Buch Mose* (see n. 6), 10; SONNET, *Book within the Book* (see n. 1), 29–32.

[8] For the localization of the places mentioned in Deut 1:1–5, see the commentaries, e.g. TIGAY, *Deuteronomy* (see n. 5); PERLITT, *Deuteronomium* (see n. 6); or VEIJOLA, *Das 5. Buch Mose* (see n. 6), *ad loc*. The individual locations describe the whole journey from Horeb to the land of Moab beyond the Jordan.

Kadesh-Barnea in vv. 1–2, Ashtarot in v. 4) and the post-Priestly dating in v. 3 refer to a context outside Deuteronomy.[9] This, however, would hardly constitute a literary connection, be it within the Tetrateuch, the Former Prophets, or the work usually called the Deuteronomistic History (DtrH).[10] Rather, the relevant references in Deut 1:1–5 clearly refer to the book of Deuteronomy itself.

After all, the heading in Deut 1:1–5 clearly marks a new beginning. The closest parallels to the beginning of the speech in Deut 1:1 can be found in Deut 31:1 and 32:45–46, at the end of the speech. The statement about the author and the addressee thus creates a framework around Deuteronomy, and it is impossible to anticipate something other than the speech of Moses before his death, which is recounted in Deut 34.

The details of time and place in Deut 1:1–5 point in the same direction. The geographical and chronological notes do not necessarily rely on the context of Torah and Former Prophets but are independent. They are, just like the history in Exodus–Numbers, the basis of the narration for the following historical retrospective in Deut 1–3 and, therefore, indicate not only the place but also the contents of Moses's speech.[11]

"On the other side of the Jordan (in the land of Moab)" in v. 1a and v. 5 is the place that Deuteronomy presupposes until Moses's death (3:27, 29; 4:41, 46–47; 32:49; 34:1, 5–6). "Through the wilderness, in the Arabah" in v. 1b specifies the expression "on the other side of the Jordan (in the land of Moab)" but widens the perspective. Under consideration are the locations of the journey through the desert, which, similarly to the material in Chronicles, have been gathered from tradition or have been freely invented by combination (v. 1b). Some of them, however, can also be found in Deut 1–3, and they describe the way from Horeb to the location "on the other side of the Jordan (in the land of Moab)" (1:19–2:14).[12] The opening of the territorial perspective suggests that "Moses […] held his farewell address before the actual settlement, and consequently 'in the desert.'"[13] In addition, the dating of the

[9] Cf. v. 3 with Exod 16:1; 19:1; Num 1:1; 9:1; 10:11; 33:38; and see L. PERLITT, "Priesterschrift im Deuteronomium?" in *Deuteronomium-Studien* (FAT 8; Tübingen: Mohr Siebeck, 1994), 123–143; for the locations in vv. 1–2 and their parallels in Num, see PERLITT, *Deuteronomium* (see n. 6), 10–15.

[10] Thus PERLITT, *Deuteronomium* (see n. 6), 7; VEIJOLA, *Das 5. Buch Mose* (see n. 6), 8–9, both ignoring the connections to Num.

[11] See PERLITT, *Deuteronomium* (see n. 6), 14.

[12] See Horeb in Deut 1:6, 19; (Mount) Seir in 2:4; Kadesh(-Barnea) in 1:19, 46; 2:14; counting of days in 2:14.

[13] PERLITT, *Deuteronomium* (see n. 6), 11: "Im jetzigen Kontext von Dtn 1–3; 34 besagt במדבר allenfalls, Mose habe seine Abschiedsrede vor der eigentlichen Landnahme – und in

speech in Deut 1:3–4 prepares the reader for the historical retrospective in Deut 1–3, referring to Sihon and Og (2:16–3:7), and offers a bridge to Deut 32:45–52 (vv. 46, 48), the repetition of the announcement of Moses's death on the same day that Moses delivers his speech and dies. This narrative thread is also concluded with Deut 34.

Thus, the complex net of the narrative and literary linkages in Deut 1:1–5 clearly assumes Deuteronomy to be the primary literary context. The heading either presupposes or constitutes the book's independence. At the same time, however, it also links the book to its place in the biblical narrative between exodus and settlement, and to this extent is related to the context of Pentateuch and Former Prophets. By attaching it to the day and the place of Moses's death and with the pointed emphasis on "this Torah," the book is moved closer to the Pentateuch than to the Former Prophets.

The demarcation can also be seen clearly from the relationship of Deut 1:1–5 to the colophon in Num 36:13:

אלה המצות והמשפטים אשר צוה יהוה ביד־משה אל־בני ישראל בערבת מואב
על ירדן ירחו

These are the commandments and regulations that the LORD enjoined upon the Israelites, through Moses, on the steppes of Moab, at the Jordan near Jericho. [cf. Num 35:1]

While God's discourse with Moses is being concluded here, in Deut 1:1 Moses's address "to all Israel" is just beginning. However, both verses relate to each other by similar formulations. They mark both the separation *and* the connection of the books and – according to Deut 1:5 – function as "text" and "commentary" (הואיל משה באר את־התורה הזאת).[14]

Up to now we have been discussing Deut 1:1–5 as a literary unity. However, there is a consensus in critical scholarship that this heading is not a unity but has in fact grown successively.[15] The core is generally found in Deut 1:1a:

אלה הדברים אשר דבר משה אל־כל־ישראל בעבר הירדן

These are the words that Moses addressed to all Israel on the other side of the Jordan.

Everything else in Deut 1:1–5 is – for good reason – seen as being a literary supplement. Among the various supplements, first v. 4 and then v. 5, which

diesem Sinne noch 'in der Wüste' gehalten"; see also U. RÜTERSWÖRDEN, *Das Buch Deuteronomium* (NSK.AT 4; Stuttgart: Katholisches Bibelwerk, 2006), 23.

[14] See VEIJOLA, *Das 5. Buch Mose* (see n. 6), 9, with reference to J.L. SKA, "La structure du Pentateuque dans sa forme canonique," *ZAW* 113 (2001), 331–352, here 351; differently, PERLITT, *Deuteronomium* (see n. 6), 7.

[15] See PERLITT, *Deuteronomium* (see n. 6); VEIJOLA, *Das 5. Buch Mose* (see n. 6); and RÜTERSWÖRDEN, *Das Buch Deuteronomium* (see n. 13), *ad loc*.; with caution also M. WEINFELD, *Deuteronomy 1–11* (AB 5; New York: Doubleday, 1991), 129.

have the same context in time and place, would have been added to v. 1a. Then vv. 1b–2 were inserted, adding the whole period of the journey through the desert. Verse 3 dates the speech of Moses exactly on the day of the fortieth year of the wandering through the desert and points out that what "Moses addressed to all Israel" is "in accordance with the instructions that the LORD had given him."

After removing the supplements, the introduction of the speech "on the other side of the Jordan" remains. It is this introduction that constitutes, together with Deut 31:1 and 32:45, the frame for the farewell speech and that has the death of Moses and thus the end of the book of Deuteronomy as well as the end of the Pentateuch in Deut 34 in view. Thus, the literary-critical analysis of the heading does not change our result in any way.[16] Furthermore, the likely original heading in Deut 1:1a introduces nothing other than the book of Deuteronomy between Numbers and Joshua or, in other words, between Torah and Former Prophets.

This result has consequences for the explanation of the historical retrospective associated with the heading in Deut 1:1a(–5).[17] Furthermore, these chapters presuppose the present context in Pentateuch and Former Prophets and not simply some general knowledge of the tradition. The fiction of the retrospective, including the variations of the narration within the recapitulation of Exodus and Numbers in Deut 1–3 (and 4), only makes sense if one knows the texts to which Deut 1–3 (and 4) refer, regardless of whether or not those texts are part of a pre- or a post-Priestly *Vorlage*. The narrative logic also excludes the possibility, which some assume, that Deut 1–3 (or Deut 1–11 *in toto*) might have been the model for the formulation of the narration in Exodus–Numbers.

It is more likely the case that Deut 1–4 is what is called a *relecture* or *rewriting*, with the peculiarity, however, that the text is situated within the narration it reproduces and interprets and thus itself becomes a part of this narration.[18] Its place in the narration between the exodus and the settlement is not, however, constituted by its literary context but explicated by the retrospective

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[16] For a different view see GERTZ, "Kompositorische Funktion" (see n. 3), 112–113, 122 n. 60.

[17] KRATZ, "Der literarische Ort" (see n. 2); for further discussion see R. HECKL, *Moses Vermächtnis: Kohärenz, literarische Intention und Funktion von Dtn 1–3* (ABG 9; Leipzig: Evangelische Verlags-Anstalt, 2004); GERTZ, "Kompositorische Funktion" (see n. 3).

[18] As an analogy one might compare the *Epistula Ieremiae*, which uses Jer 10 and 29 in order to reformulate an additional letter to the *golah*. See R.G. KRATZ, "Die Rezeption von Jer 10 und 29 im pseudepigraphen Brief des Jeremia," in *Das Judentum im Zeitalter des Zweiten Tempels* (2nd ed.; FAT 42; Tübingen: Mohr Siebeck, 2006), 316–339; IDEM, "Der Brief des Jeremia," in *Das Buch Baruch – Der Brief des Jeremia – Zusätze zu Ester und Daniel* (ed. O.H. Steck *et al*.; ATD.A 5; Göttingen: Vandenhoeck & Ruprecht, 1998), 69–108.

of the book itself, which refers to the context in Pentateuch and Former Prophets. This and the quantity of material that has been integrated in Deut 1–3 (and 4) implies that the heading and the historical retrospective were formulated for an individual writing and have something to do with the separation of the books (or the scrolls, respectively). The historical retrospective has the twofold function of continuing the narration of the Tetrateuch and, at the same time, of bridging the distance from Mount Sinai to the land of Moab by looking back once more to the journey that was already told in the book of Numbers. In this way, Deut 1–3 connects both the two places and the two revelations of the law at Mount Sinai/Horeb and in the land of Moab, following the narrative perspective of Deut 5.

Concerning the heading in Deut 1:1a(–5) and the retrospective in Deut 1–3, any hypothesis that considers Deut 1–3 to be the beginning of a Deuteronomistic History is rather doubtful.[19] Similarly doubtful is a hypothesis that regards Deut 1–3 as a supplement (*Fortschreibung*) responsible, at the same literary level as Deut 5:1–6:3, for integrating the formerly independent Deuteronomy into the narration of the Hexateuch, as has been suggested recently by Jan Christian Gertz.[20] It is more likely the case that the heading Deut 1:1a(–5) and chapters 1–3 identify Deuteronomy as an independent book that concludes the Pentateuch and points to the continuation of the narration in the Former Prophets in the same way as does the Pentateuch as a whole.

2. Deuteronomy 4:44–49

A second lot of headings appears in Deut 4:44–49. For a considerable period of time, scholars have seen the doublet to Deut 1:1–5 as a clue to the editorial history of Deuteronomy and, therefore, have suggested that once there existed two different editions of the book: one beginning with 4:44 or 4:45 and another beginning with 1:1–5 and including the retrospective in Deut 1–3 (and 4).[21] The alternative, that both headings are the planned result of one hand,

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[19] See, e.g., BLUM, "Pentateuch – Hexateuch – Enneateuch?" (see n. 3), 109, 164. It makes no difference if one reduces the DtrH to a certain "DtrL" extending from Deut 1 to Judg 2; see N. LOHFINK, "Kerygmata des Deuteronomistischen Geschichtswerks," in *Studien zum Deuteronomium und zur deuteronomistischen Literatur, Vol. II* (SBAB 12; Stuttgart: Katholisches Bibelwerk, 1991), 125–142, here 132–137; followed by OTTO, *Das Deuteronomium im Pentateuch und Hexateuch* (see n. 3).

[20] GERTZ, "Kompositorische Funktion" (see n. 3).

[21] J. WELLHAUSEN, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments* (3rd ed.; Berlin: Reimer, 1899; repr., Berlin: de Gruyter, 1963), 193, suggested two editions; G. HÖLSCHER, "Komposition und Ursprung des Deuteronomiums," *ZAW* 40 (1922), 161–255, convincingly argued for another explanation and proposed a supplementary

based on a "four heading system of Deuteronomy," as Norbert Lohfink suggested based on 1:1; 4:4; 28:69; and 33:1, is highly unlikely, as Lothar Perlitt has shown.[22] The headings are indeed related to each other, but they are not on the same literary level and can hardly be of the same origin.

Within Deut 4:44–49, the literary nucleus is generally found in 4:45:

אלה העדת והחקים והמשפטים אשר דבר משה אל־בני ישראל בצאתם ממצרים

These are the decrees, laws, and rules that Moses addressed to the people of Israel, after they had left Egypt.

A closer look at the other elements in Deut 4:44–49 indicates that they are most certainly a conglomeration of additions, which, similarly to Deut 1:1–5, has been supplemented successively. The announcement of the Torah here in 4:44 reminds one of 1:5, and the geographical details in 4:46–49 of 1:1b–4.[23] The formulations, as the many repetitions show, want to specify the previous locations or want to expand them, and refer generally to Deut 1–3. In detail, the facts are as follows:

"Beyond the Jordan in the valley opposite Beth-Peor" is the summary of 1:1a and 3:29 and the phrase presupposes, as a repetition of Deut 1–3, the insertion of Deut 4.[24] Just as in Deut 1–3, the speech has been moved expressly to the place of Moses's death (34:6).

As in Deut 1:4, and with almost the same words, 4:46–47 summarize the events of 2:26–3:10, the battle against Sihon and Og. According to Deut 23:5, the mention of Sihon of Heshbon specifies the statement "after they had left Egypt" from v. 45, and the mention of Og of Bashan specifies the statement "beyond the Jordan" from v. 46, augmented by "to the east," in accordance with 4:41. Whether the two notes became part of the text at the same time or one after another is hard to say.[25] While in v. 46 it is only about geography and, therefore, only about Sihon, v. 47 recapitulates the narration, which in v. 46b is only hinted at and which applies to both Sihon and Og, as can be seen from the wording (see 2:31; 3:12) and the supplement "the two Amorite kings" (see 3:8).

Verses 48–49 presuppose the settlement in the region "to the east of the Jordan" in v. 47 and "the two Amorite kings" from 3:8, and add the relevant

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hypothesis (*Ergänzungs-* or *Fortschreibungshypothese*). For Deut 4, see D. KNAPP, *Deuteronomium 4: Literarische Analyse und theologische Interpretation* (GTA 35; Göttingen: Vandenhoeck & Ruprecht, 1987), 27–29 and *passim*.

[22] See LOHFINK, "Der Bundesschluß im Lande Moab" (see n. 5) and the discussion of his suggestions by PERLITT, *Deuteronomium* (see n. 6), 388–390.

[23] See PERLITT, *Deuteronomium* (see n. 6), 387–400; VEIJOLA, *Das 5. Buch Mose* (see n. 6), 122–125.

[24] See PERLITT, *Deuteronomium* (see n. 6), 397.

[25] See PERLITT, *Deuteronomium* (see n. 6), 398.

geography accordingly in compilation with 2:36: "from Aroer on the edge of the Arnon valley" (2:36); "from the wadi Arnon to Mount Hermon" (3:8); then "also the whole Arabah on the east side of the Jordan, as far as the Sea of the Arabah, at the foot of the slopes of Pisgah" (4:49) according to 3:17. In this way, the authors have again reached the place of Moses's death in 34:1, where the speech is delivered according to Deut 1–4 (4:46; 1:1–5a; 3:27, 29).

After discounting the literary supplements, the two headings in 4:44 and 4:45 remain, one of which corresponds in its formulation to 1:5, the other to 1:1. In accordance with the analysis of 1:1–5, scholars conjecture that 4:44 (וזאת התורה אשר־שם משה לפני בני ישראל) is secondary while 4:45 (אלה העדת והחקים והמשפטים) is primary. With regard to the relative dating, scholars assume that 4:45 is the older heading and 1:1a is the younger. This links up with the theory that 4:45 is the oldest heading, which introduced the formerly independent original Deuteronomy, followed by 5:1; 6:4; 12:13ff.[26]

There is, however, a problem with this reconstruction. The hypothesis forces us to remove the words "the decrees and" (העדת ו) from the phrase "these are the decrees, laws, and rules" in v. 45, because the expression does not match the collocation "laws and rules" that is typical for Deuteronomy (5:1; 12:1; *et al*.). In a somewhat bold statement, Norbert Lohfink has concluded that the expression העדת had been the original expression, instead of the collocation "statutes and ordinances," and had designated the Josianic Ur-Deuteronomy.[27] It would appear that the Neo-Assyrian contract language (*adê*) and its proximity to the theology of the covenant in Deuteronomy supports this view, which has on occasion led to some incredible speculation and still does. However, as Lothar Perlitt has shown, this hypothesis does not stand up to scrutiny.[28] The relevant term – whether deriving from the Neo-Assyrian or, not to forget,[29] the Aramaic *adê*; or from the Hebrew root עד, "witness, witness statement," and the abstract form *'edut*, as used in the Priestly writing as *terminus technicus* for the content of the ark of the covenant – is typical for late Hebrew (Ps 119) and for late Deuteronomistic literature, where it always appears in combination with other expressions of the

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[26] Thus, e.g., VEIJOLA, *Das 5. Buch Mose* (see n. 6), 122–123; PERLITT, *Deuteronomium* (see n. 6), 387, 391, seems to include also v. 46aα ("beyond the Jordan, in the valley of Beth-Peor").

[27] N. LOHFINK, "*'d(w)t* im Deuteronomium und in den Königsbüchern," in *Studien zum Deuteronomium und zur deuteronomistischen Literatur, Vol. III* (SBAB 20; Stuttgart: Katholisches Bibelwerk, 1995), 167–177.

[28] PERLITT, *Deuteronomium* (see n. 6), 393–397; see also VEIJOLA, *Das 5. Buch Mose* (see n. 6), 123.

[29] See C. KOCH, *Vertrag, Treueid und Bund: Studien zur Rezeption des altorientalischen Vertragsrechts im Deuteronomium und zur Ausbildung der Bundestheologie im Alten Testament* (BZAW 383; Berlin: de Gruyter, 2008), 97–105.

law and the covenant.[30] Thus, the term cannot be original. But does this conclusion justify the equally bold literary-critical removal of the expression העדת ו in Deut 4:45? Precisely the fact that the term always appears in line with other expressions, and in exactly the same order in 6:20 as in 4:45, speaks against such a literary-critical operation.

Furthermore, there is another problem. If we consider 4:45 to be the original beginning, we are confronted with the problem of the historicization of the law in Deuteronomy. We can only learn who Moses was and what the exodus from Egypt was all about from the narration of the Pentateuch, on which we have to rely, even with a "vague dating" (*lockere Zeitangabe*)[31] such as the statement "after they had left Egypt" in v. 45. There is no basis at all for the generally accepted view that the Exodus narration should be regarded as common cultural knowledge. It would also be unclear where on the long march between Egypt and the promised land Moses proclaimed the law to the people. It would be rather strange to assume that the law had been proclaimed somewhere in the middle of nowhere. This is probably also the reason why Lothar Perlitt still counts the statement "beyond the Jordan in the valley at Beth-Peor" in v. 46aα as part of the basic layer. This, however, contradicts the hypothesis that v. 45 is an earlier beginning of Deuteronomy, because, as Perlitt himself writes, the geographical statement in 4:46 summarizes Deut 1:1a and 3:29 and presupposes the addition of Deut 4.[32]

With or without v. 46aα, the hypothesis that v. 45 was once the original beginning of Deuteronomy obviously causes more problems than it solves. Therefore, another solution is more likely, namely that 4:44 and 4:45 are later headings inserted into the text after Deut 1–4 was added. There would have been more than enough opportunities to do this, because the text in Deut 1–4 is not a literary unity but has grown successively. This applies not only to the retrospective in Deut 1–3 but also to the supplement (*Fortschreibung*) in Deut 4:1–40, which maintains the style of Moses's speech, and to the passage in Deut 4:41–43, which moves to a narrative style. Before the speech of Moses (re)commences in 5:1, a transition is necessary, and just at this place we find the two headings in question, v. 44 and v. 45(–46aα).

If we accept the suggested sequence of the additions, v. 45(–46aα) – referring back to 1:1a; 3:29 – could be connected with the insertion of the

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[30] See Deut 5:31; 6:17, 20; 7:11; 2 Kgs 2:3; 17:5; 23:5; Jer 44:23.

[31] VEIJOLA, *Das 5. Buch Mose* (see n. 6), 123 n. 5.

[32] PERLITT, *Deuteronomium* (see n. 6), 397: "V. 46aα will nach der großen Unterbrechung durch 4,1–40 noch einmal den Ort nennen, an dem Mose zu den Israeliten redete (V. 45). Das geschieht einerseits mit der weiträumigen Angabe von 1,1a 'jenseits des Jordans' […], andererseits mit der genauen Angabe über das vorläufige Ziel des Wüstenzuges vom Horeb her 'im Tal gegenüber Beth Peor' aus 3,29 […]."

speech in 4:1–40, and 4:44 – referring back to 1:5 – could be connected with the addition of the short narrative in 4:41–43. The "laws and rules" (חקים ומשפטים) are already mentioned in Deut 4 (vv. 1, 5, 8, 14), so that the repetition (*Wiederaufnahme*) in 4:45 with the addition of העדת would not come as a surprise (see also 6:20; 4:9–10). Additionally, the exodus from Egypt is a topic in Deut 4 (vv. 20, 34, 37), which would easily explain the "vague dating" in v. 45 ("after they had left Egypt"), which – with the reference to 3:29 in 4:46 and with the additions in 4:46–49 – was then expounded in further detail. Even the heading in 4:44, which refers back to 1:5 and is probably later, would then have a point of contact in Deut 4 (v. 8).

After all, in comparison to 1:1–5, we have before us in the headings in 4:44–49 not the earlier but the later formulations. Deuteronomy 4:45(–46aα) is, therefore, written with the knowledge and according to the example of 1:1a (and 3:29), while 4:44 is written to emulate 1:5. After the heading in 1:1a that is to be connected with the addition of Deut 1–3, the heading 4:45(–46aα) became necessary with the insertion of Deut 4:1–40, and was followed by the heading in 4:44 before or after the addition of 4:41–43. In both places, in 1:1b–4 and 4:46–49, the headings have been augmented several times and filled in with material from Deut 1–3.

3. Deuteronomy 5:1

After discussing the headings in Deut 1 and 4 we now turn to Deut 5:1, the second beginning of Moses's speech, which runs from here to ch. 26: "Moses summoned all Israel and said to them," ויקרא משה אל־כל־ישראל ויאמר אלהם. In relation to Deut 1–4, this is an older beginning, as is indicated by Moses's getting straight to the subject matter, which is also announced in Deut 1:1–5 and 4:44–49: the declaration of the law. Deuteronomy 1–4, on the other hand, are clearly secondary, since they recapitulate the history as already told in Exodus–Numbers and prepare the reader for a recall of the scene at Horeb in anticipation of Deut 5. The question that arises here concerns what exactly begins in Deut 5 with the immediate introduction of the speech.

Before Moses comes to the declaration of the law in Deut 12–26, which has already been announced several times, he also needs a long prelude in Deut 5–11. This prelude too is full of historical reminiscences of the exodus, the desert, and Sinai/Horeb. But in contrast to Deut 1–3, it is not primarily about the course of history from the beginning to the end of the journey through the desert. Rather, it is about the parenetic meaning of the individual historical examples, in particular the rest at Mount Sinai/Horeb, for the "here and now," the fictive presence of Moses, or the presence of the author and his readers, respectively.

The hermeneutical key for all this is the historical fiction in Deut 5.[33] The scene is based on the opposition of the "here and now" (5:1, 3) and the experience of the presence of God at Mount Sinai/Horeb "at that time" (5:5), which is recalled and contemporized for the fictive audience (and actual readers) of today. Both locations, Sinai/Horeb and the "here and now," are collapsed into one. The synchronization is, on the one hand, created by the quotation of the Decalogue, which the people are supposed to have heard at the time; and in quoting the Decalogue, which contemporizes the past situation, the people are listening to it again. On the other hand, the correlation between the past and the present is made through the theory that the revelation of the other parts of the law was given by God on the mountain only to Moses, who is now passing it on to the people.

The focus of Deut 5 is to emphasize the relationship between Deuteronomy and the Covenant Code in the book of Exodus, demonstrating that it is the same law in both places. Once this has been clarified in Deut 5, the proclamation of the law in Deut 12–26 can follow, introduced by 6:1 and the שמע ישׂראל in 6:4. Like the retrospective in Deut 1–3 and 4, which covers the distance between Sinai/Horeb and the "here and now" in terms of theological geography and history,[34] the extensive parenesis in Deut 6–11 is also secondary to the basic scene in Deut 5:1–6:3 and the שמע ישׂראל in 6:4, which is presupposed and time and again reformulated throughout Deut 6–11.[35]

If one, therefore, assumes an original connection between Deut 5:1–6:4 and Deut 12–26, the following question will arise: What actually is the "here and now" of Deut 5:1, 3? Without the retrospective in Deut 1–3 (3:27, 29), which has proved itself to be a supplement (*Fortschreibung*), the scene at the beginning of the speech lacks geographical and historical placement. Would we, therefore, still have to assume that one of the headings, in 1:1–5 (1:1a) or 4:44–49 (4:45), is the beginning of Deuteronomy? But then why does the speech not just begin immediately after the annunciation in 1:1a or 4:45: "These are the words […]:" or "These are the decrees […]: Hear, O Israel"?

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[33] See the commentaries, and R.G. KRATZ, "'Höre Israel' und Dekalog," in *Die Zehn Worte: Der Dekalog als Testfall der Pentateuchkritik* (ed. C. Frevel *et al.*; QD 212; Freiburg: Herder, 2005), 77–86.

[34] That Deut 1–3 and 5:1–6:3 stem from one hand, as suggested by GERTZ, "Kompositorische Funktion" (see n. 3), 121, is rather improbable. One wonders why the author of Deut 1–3 did not place the material – as was done with the *Wiederaufnahme* in v. 46 – after but before the supposed original heading in 4:45. Furthermore, the different calculations of the generations in Deut 5:2–3 and 1:34ff.; 2:14–16 still require an explanation.

[35] See H. SPIECKERMANN, "Mit der Liebe im Wort: Ein Beitrag zur Theologie des Deuteronomiums," in *Liebe und Gebot: Studien zum Deuteronomium* (ed. R.G. Kratz and H. Spieckermann; FRLANT 190; Göttingen: Vandenhoeck & Ruprecht, 2000), 190–205.

Why is it reintroduced with the narrative ויקרא משׁה אל־כל־ישׂראל ויאמר אלהם, "Moses summoned all Israel and said to them"?

The introduction with a narrative (ויקרא משׁה) suggests another possible explanation. The narrative could continue a preceding narration that took Moses and all Israel to the place meant by the "here and now" in Deut 5. In fact, such a narration has been preserved immediately before the book of Deuteronomy in its canonical position in the book of Numbers, which is also the basis for the (later) recapitulation of the same story in Deut 1–3. What could be easier than to assume that Deut 5:1 originally continued this narration?

Numbers 27:12–13 and Num 25:1a are two passages that need to be taken into account as points of contact here, discounting the later passages in Deut 1–4 and the equally later supplements to the book of Numbers in Num 25–36.[36] The second passage, Num 25:1a, is part of the (original) framework connecting the narration of the exodus from Egypt in the books of Exodus–Numbers to the narration of the settlement in the book of Joshua (Num 25:1a–Josh 2:1; 3:1); in between is the death of Moses (Deut 34:5–6),[37] which was the starting point for inserting the farewell speech of Moses in the book of Deuteronomy.[38] The place of the "here and now" in Deut 5 is, therefore, the last stop on the journey through the desert before entering the promised land, in Shittim in the land of Moab. The scene of Deut 5 is written into the narration just at this place, so that at this level the book of Deuteronomy is part of the narration extending at least from the book of Exodus to the book of Joshua, and maybe even further. This localization is presupposed and adapted by the later supplements (*Fortschreibungen*) in Deut 1–4 and in particular in the headings in Deut 1:1–5 and 4:44–49, and is explicated in further detail within the independent book.

4. Deuteronomy 6:4

Scholars often have assumed that the oldest Deuteronomy, known as the "Ur-Deuteronomy," began with the שׁמע ישׂראל in Deut 6:4 and was followed immediately by the laws in Deut 12–26.[39] There is a lot to be said for this as-

[36] See KRATZ, "Der literarische Ort" (see n. 2), 116.

[37] According to my analysis, the original wording is: "So Moses […] died there, in the land of Moab […], and they buried him in the valley in the land of Moab, near Beth-Peor […]."

[38] See KRATZ, "Der literarische Ort" (see n. 2), 119; IDEM, *Composition* (see n. 2), 125–126 (*Komposition*, 129–130); IDEM, "Der vor- und der nachpriesterschriftliche Hexateuch" (see n. 2).

[39] See H.D. PREUSS, *Deuteronomium* (EdF 164; Darmstadt: Wissenschaftliche Buchgesellschaft, 1982), 100–101; VEIJOLA, *Das 5. Buch Mose* (see n. 6), 175.

sumption, such as the close relationship between the idea of a "unity" of YHWH proclaimed by the שמע ישראל and the commandment of cultic centralization, which begins in Deut 12 (originally vv. 13ff.) and which is, as commonly known, the core of the Deuteronomic law. The שמע ישראל in Deut 6:4[40] could, therefore, be understood as a proem to the new version of the cultic laws in Deut 12–26 (in its basic layers), which has the Covenant Code in Exod 20–23 as its example.[41]

As we have seen, the historical scene of Deut 5, the recall and the recontemporization of the Sinai/Horeb scene for the "here and now" (i.e., the time of the narrator as well as the reader), is the narrative realization of this literary-historical relationship between the Covenant Code and Deuteronomy. This literary relationship, however, and the narrative connection seem to be older than the scene in Deut 5. Obviously the introduction of the speech in Deut 5:1, ויקרא משה אל־כל־ישראל ויאמר אלהם, originally introduced a שמע ישראל, "Hear, O Israel." However, the שמע ישראל is not necessarily the one in Deut 5:1, but could also have been the one in Deut 6:4; only later was this introduction augmented by Deut 5:1–6:3 and, therefore, reformulated: שמע ישראל את־החקים ואת־המשפטים, "Hear, O Israel, the laws and the rules." Deuteronomy 6:1–3 again takes up the "laws and rules" from 5:1 (וזאת המצוה החקים והמשפטים), linking them with the שמע ישראל in 6:4 according to the transition in 5:1.[42]

Thus, with the narrative in Deut 5:1 introducing Moses's speech (ויקרא משה אל־כל־ישראל ויאמר אלהם), the older version of Deuteronomy, which did not yet contain the scene in Deut 5:1–6:3 and the Decalogue, also continues the narration of the book of Numbers and is encased between Num 25:1 and Josh 2:1 or 3:1, at the last station before crossing the Jordan and entering the promised land, in Shittim. What is said implicitly here in the course of the

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[40] For the analysis of Deut 6:4–9, see C. LEVIN, *Die Verheißung des neuen Bundes in ihrem theologiegeschichtlichen Zusammenhang ausgelegt* (FRLANT 137; Göttingen: Vandenhoeck & Ruprecht, 1985), 99 n. 103; T. VEIJOLA, "Das Bekenntnis Israels: Beobachtungen zur Geschichte und Theologie von Dtn 6, 4–9," in *Moses Erben: Studien zum Dekalog, zum Deuteronomismus und zum Schriftgelehrtentum* (BWANT 149; Stuttgart: Kohlhammer, 2000), 76–93; IDEM, *Das 5. Buch Mose* (see n. 6), 175, 177–182; KRATZ, *Composition* (see n. 2), 126 (*Komposition*, 130–131). I am still of the opinion that Deut 6:4–5 or (with Levin) 6:4–6 and not 6:4, 6–9 (Veijola) is the basic text introducing the collection of the laws of centralization in Deut 12–26.

[41] For the criteria for the analysis and reconstruction of the basic layers in Deut, see KRATZ, *Composition* (see n. 2), 117–118 (*Komposition*, 120–122).

[42] See VEIJOLA, "Das Bekenntnis Israels" (see n. 40), 77 n. 10; IDEM, *Das 5. Buch Mose* (see n. 6), 129, 175; KRATZ, "Der literarische Ort" (see n. 2), 118; IDEM, *Composition* (see n. 2), 124–125 (*Komposition*, 129).

narration, the historical scene in Deut 5 makes explicit, and this, again, is presupposed by the headings and the literary expansions in Deut 1–4.

I do not want, nor have I ever wanted, to deny or exclude the possibility that Deuteronomy was once an individual piece of literature in its own right before it was integrated into the course of the biblical narration, the *historia sacra* of Pentateuch and Former Prophets. However, such a formerly independent version of Deuteronomy cannot have begun with headings such as Deut 1:1 or 4:45 or 5:1, all of which presuppose or continue the biblical narration in Exodus and Numbers. It is more likely that it would have started without any heading, if the original heading has not been lost, and most certainly without a narrative introduction such as 5:1. It is possible that it started directly with 6:4(–6): שׁמע ישׂראל יהוה אלהינו יהוה אחד, "Hear, O Israel: The LORD is our God, the LORD alone," followed immediately by the laws of centralization. The closure of the original Deuteronomy that corresponds to Deut 6:4–6 can be found at Deut 26:16.[43]

The fact that makes Deut 6:4(–6) suitable for an absolute beginning of an independent legal corpus is that it mentions the addressee and requires neither information on who is speaking nor a localization in the course of the biblical history. Only the imperfect in the formula of centralization ("in the place that the LORD will choose," במקום אשׁר־יבחר יהוה, Deut 12:14, etc.) causes a certain hesitation. Within the narrative and literary context of the narration from Exodus to Joshua, this formula points to the imminent entering into the land and is the beginning of the historicization of the law in Deuteronomy.[44] As the textual variants of the versions indicate, the ancient readers were clearly aware of the problem.[45] I would not exclude the possibility that when Deuteronomy was still an independent book, the formula and its verbal form might have had another meaning. The evidence, however, must still be brought forward. The assumption that anyone knew the place of Deuteronomy within the biblical narration, so that any detailed localization in the later literary layers can basically be applied to the independent older Deuteronomy, does not convince me. However, this problem should only be dealt with in the broader

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[43] KRATZ, *Composition* (see n. 2), 124 (*Komposition*, 128–129); for a different view see VEIJOLA, "Das Bekenntnis Israels" (see n. 40), 77 n. 10: "Es versteht sich allerdings von selbst, daß ein *Buch* nie unmittelbar mit der Anrede Dtn 6,4, ohne jegliche Überschrift und Redeeinleitung, hat beginnen können." I have to confess that for me it is not that evident at all.

[44] KRATZ, *Composition* (see n. 2), 123 (*Komposition*, 128).

[45] See R.G. KRATZ, "'The Place Which He Has Chosen': The Identification of the Cult Place of Deut. 12 and Lev. 17 in 4QMMT," in *A Festschrift for Devorah Dimant* (ed. M. Bar-Asher and E. Tov; Meghillot 5–6; Jerusalem: Bialik Institute; Haifa: University of Haifa, 2007), *57–*80.

context of the composition of the Pentateuch and therefore cannot be considered here.

5. Conclusion

The investigation into the headings of Deuteronomy confirms the result of the literary-historical analysis of the book. The oldest Deuteronomy, known as the "Ur-Deuteronomy," which only contained the commandments of cultic centralization, is likely to be introduced by Deut 6:4(–6) and concluded with Deut 26:16. With the exception of the centralization formula, there are no traces of any historicization, which could be taken as evidence that Deuteronomy was originally composed as an independent work. Only the introduction to the speech in Deut 5:1aα, followed by the "Hear, O Israel" in Deut 6:4(–6) and the commandments of cultic centralization in Deut 12–26, place Deuteronomy into the course of the biblical narration and locate it between the last station of the journey through the desert (Num 25:1a) and the departure for the promised land (Josh 2:1; 3:1), in Shittim in the land of Moab. Here Moses recapitulates the essentials of the cultic laws of the Covenant Code in a revised form, in a farewell speech just before his death (Deut 34:5–6). The scene in Deut 5:1aβ–6:3 adds the Decalogue and the hermeneutical key, which expressly relates the law at Mount Sinai/Horeb to the law in the land of Moab, to this narrative and (literary) context. Based on this narrative context, the retrospective in Deut 1–3 recapitulates, introduced by 1:1a, the narration of the journey through the desert from the book of Numbers and bridges the distance from Sinai/Horeb to Moab by the speech of Moses. This retrospective contributes to the independence and the separation of the book. As a result of the supplement of Deut 4, which anticipates the scene of Deut 5, the headings in 4:44–49 (originally only 4:45 or 4:45–46aα) mark a transition from the preface to the corpus of the speech, which runs from Deut 5 to Deut 26.

Mosaic Prophecy and the Deuteronomic Source of the Torah

Jeffrey Stackert

The evidence for the reuse of earlier pentateuchal material in the Deuteronomic (D) source of the Torah is particularly strong.[1] This source material is typically identifiable in the non-Priestly portions of Exodus and Numbers, and notwithstanding some (recent) alternative proposals that reverse the direction of dependence between D and the non-Priestly tetrateuchal material or that reanalyze the source attribution of the relevant Exodus and Numbers texts,[2] in my view these instances of literary dependence are still best explained primarily as borrowings from what is classically identified as the Elohistic (E) source and, to a lesser extent, from the Yahwistic (J) source.[3] D draws upon

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[1] The abbreviations employed in this essay are as follows: J: Yahwistic source; E: Elohistic source; P: Priestly source; D: Deuteronomic source. I include in the Deuteronomic source Deut 1:1–32:47. I classify this entire text as D, even as I identify multiple hands and multiple, originally smaller works in its composition. See M. HARAN, *The Biblical Collection: Its Consolidation to the End of the Second Temple Times and Changes of Form to the End of the Middle Ages* (3 vols.; Jerusalem: Magnes, 1996–2008), 2.51–68 (in Hebrew).

I warmly thank my colleague Simeon B. Chavel for the helpful discussions that we have had about the issues I address in this article. I have certainly benefited from his generous feedback and input. I am also grateful to my student Samuel L. Boyd for proofreading this essay. Nonetheless, I alone am responsible for any errors herein.

[2] For examples especially relevant to the present study, see, e.g., J. VAN SETERS, "Etiology in the Moses Tradition: The Case of Exodus 18," *HAR* 9 (1985), 355–361; IDEM, *The Life of Moses: The Yahwist as Historian in Exodus-Numbers* (Louisville: Westminster John Knox, 1994); S. TENGSTRÖM, "Moses and the Prophets in Deuteronomistic History," *SJOT* 8 (1994), 257–267, here 264; T. RÖMER, "Nombres 11–12 et la Question d'une Rédaction Deutéronomique dans le Pentateuque," in *Deuteronomy and Deuteronomic Literature: Festschrift C. Brekelmans* (ed. M. Vervenne and J. Lust; Leuven: Peeters, 1997), 481–498; IDEM, "Le jugement de Dieu dans les traditions du séjour d'Israël au désert," in *Le Jugement dans l'un et l'autre Testament, Vol. 1: Mélanges offerts à Raymond Kuntzmann* (ed. E. Bons; Paris: Cerf, 2004), 63–80.

[3] Notwithstanding the (sometimes) extreme criticism leveled by scholars against the existence of a pentateuchal E source (*inter alia*, D.M. CARR, *Reading the Fractures of Genesis: Historical and Literary Approaches* [Louisville: Westminster John Knox, 1996], 146–151), attempts to discard it are unconvincing. For recent, largely compelling studies that distinguish

and oftentimes reworks narrative and legal portions of its sources for both core and incidental content. Such borrowing is first and perhaps best in evidence in D's self-conception, which is tied especially to the primary event it references. The majority of D purports to be Moses's prophetic speech that communicates to the Israelites *for the first time* all of the laws, save the Decalogue, that God spoke to Moses alone at Horeb, an event described in Deut 4–5. The laws in D, which constitute chs. 12–26, are presented as the specific content of the divine revelation to Moses. Thus, although it is the explicit subject of only a single law in D (Deut 18:15–22, treated below), Mosaic prophecy suffuses virtually all of this source: Mosaic prophecy is for D the beginning of Israelite prophecy, the measure against which all future prophecy should be judged as licit or illicit, and the primary medium for its own message.

Yet D certainly does not invent the notion of Mosaic prophecy. In fact, to varying degrees Moses is portrayed as a prophet in each of the Torah sources and, importantly for our purposes, D draws extensively and particularly from its main literary fund, the E source, on this very point. In this study, I will focus on D's reuse and reimagination especially of E's presentation of Mosaic prophecy, both as a mode of prophetic mediation and as a particular message/set of messages. I will also examine facets of J's presentation of Moses that inform D's conceptualization of Mosaic prophecy and future prophecy. With special focus on Deut 5 (esp. vv. 22–31); 13:2–6; 18:15–22; and 1:9–18, I will argue that, in its programmatic quest to shape prophetic norms and to protect its own literary and legal legacy, D carefully adjudicates its sources' portrayals of Moses and his prophetic work, accepting some aspects of them, revising others, and rejecting completely still others. In the end, though it ostensibly claims otherwise, D will not permit other prophets like Moses, even as it does permit, at least in theory, other prophets after Moses. I will then discuss this conclusion's implications for understanding the exclusivism that defines D in contrast to the other Torah sources. Finally, I will comment briefly on the conflict that my reading introduces between D and portions of the Deuteronomistic History and some biblical prophetic literature, both of which exhibit similarities to D.

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an E source, see B.J. SCHWARTZ, "What Really Happened at Mount Sinai? Four Biblical Answers to One Question," *BR* 13/5 (1997), 20–30, 46; A. GRAUPNER, *Der Elohist: Gegenwart und Wirksamkeit des transzendenten Gottes in der Geschichte* (WMANT 97; Neukirchen-Vluyn: Neukirchener, 2002); J.S. BADEN, *J, E, and the Redaction of the Pentateuch* (FAT 68; Tübingen: Mohr Siebeck, 2009); IDEM, *The Composition of the Pentateuch: Renewing the Documentary Hypothesis* (AYBRL; New Haven: Yale University Press, 2012).

Mosaic Prophecy in J and E

Among the Torah sources apart from D, the prophetic role of Moses is particularly prominent in E, where it contributes especially to this source's larger hagiographic portrait of the Israelite leader.[4] Mosaic prophecy begins in E in Exod 3 with the story of Moses's initial encounter with the Israelite god and anticipated interaction with the Israelites, and I will return to this text below in relation to Deut 13:2–6. Yet E characterizes Mosaic prophecy in several other texts as well. In Exod 19–20,[5] God demonstrates the mechanics of prophecy to the Israelites at Mount Horeb and clarifies that Moses will be their ever-trustworthy prophetic leader. This is the function of the Decalogue in E: it is a demonstration of prophecy for the Israelites and not law or covenant *per se* (Exod 20:20).[6] This experience is meant to mitigate a problem endemic to prophecy: as a rule, a prophet receives a message in private and then delivers it in public to recipients who were not privy to the prophet's encounter with the deity.[7] By allowing the Israelites to experience God's interaction with Moses, they will ever after believe Moses when he claims to deliver to them a divine message (Exod 19:9a). Exodus 33:7–11 then outlines the procedure of Moses's subsequent prophetic encounters with the deity: they will take place at the Tent of Meeting outside of the camp, with Moses inside the tent, God in the cloud resting at the tent's entrance, and the people first watching Moses's entrance into the tent and then bowing down at the arrival of the cloud.

Numbers 11 contributes further to the notion of Mosaic prophecy in E. In vv. 10*–12, 14–17, 24b–30,[8] in response to Moses's complaint that the bur-

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[4] For hagiographic portrayals of Moses in E, see, e.g., Num 11:29; 12:1–15 (esp. vv. 3, 7); Deut 34:10–12.

[5] E in Exod 19–20 comprises 19:2b–9a, 16aβ–17, 19; 20:1–26. Cf. BADEN, *J, E, and the Redaction of the Pentateuch* (see n. 3), 153–161. For a full source division of Exod 19–24, see SCHWARTZ, "What Really Happened at Mount Sinai?" (see n. 3).

[6] M. GREENBERG, "נסה in Exodus 20:20 and the Purpose of the Sinaitic Theophany," *JBL* 79 (1960), 273–276; B.J. SCHWARTZ, "The Horeb Theophany in E: Why the Decalogue Was Proclaimed" (paper presented at the annual meeting of the SBL, San Antonio, Tex., November, 2004); HARAN, *Biblical Collection* (see n. 1), 2.154–170; BADEN, *J, E, and the Redaction of the Pentateuch* (see n. 3), 156–157; J. STACKERT, "The Syntax of Deuteronomy 13:2–3 and the Conventions of Ancient Near Eastern Prophecy," *JANER* 10 (2010), 159–175.

[7] M. NISSINEN, *References to Prophecy in Neo-Assyrian Sources* (SAAS 7; Helsinki: Neo-Assyrian Text Corpus Project, 1998), 167.

[8] For source divisions of Num 11, see, e.g., E. BLUM, *Studien zur Komposition des Pentateuch* (BZAW 189; Berlin: de Gruyter, 1990), 83; BADEN, *J, E, and the Redaction of the Pentateuch* (see n. 3), 109. V. 10 appears, at least in part, to belong to E. On this point, see also VAN SETERS, *Life of Moses* (see n. 2), 241. Van Seters connects Num 11:10 to Exod 33:8, 10

den of leadership is too great, God instructs Moses to bring seventy elders out to the tent of meeting with him, whereupon God draws from Moses's spirit and places it upon the elders so that they too might exercise prophetic leadership. Inadvertently, two elders, Eldad and Medad, remain in the camp during this prophetic investiture, but it is effective nonetheless for them too, and they speak prophetically within the camp. In response to Joshua's objection, Moses expresses his wish that all Israelites would be prophets. This wish seems to reflect more than the exasperation that Moses already expressed concerning the burden of the Israelites. It is instead a sincere desire, and though the elders' prophetic performance is short-lived here (v. 25: ולא יספו "they did not continue"), the implication is that they will exercise (prophetic) administrative leadership in response to future needs.

E also countenances prophetic mediation by individuals other than Moses, most notably in the immediately following chapter. Yet Num 12 (vv. 6–7) also makes clear that the imagined activity of such prophets is qualitatively different from Moses's prophecy, a point reemphasized in E's reflection upon Moses's death in Deut 34:10: "Never again did there arise in Israel a prophet like Moses, whom YHWH knew face to face." According to Num 12, God communicates with other prophets through visions and dreams, but he speaks directly – face to face – with Moses.

E thus contains both complexity and a certain contradiction in its view of prophecy and its relationship to Moses. Such "prophecy" characterizes both Israelite leadership without mediating function but with the divine imprimatur of the prophetic spirit (Num 11*) and mediation of the divine (Num 12).[9] Moreover, Mosaic prophecy is distinctive (Num 12), yet, as the distribution of Moses's spirit emphasizes, "prophecy" by other Israelites is also explicitly Mosaic (Num 11*).

J's presentation of Mosaic prophecy is, like E's, especially concerned with legitimating Moses. This begins with Moses's sense of inadequacy to fulfill the prophetic vocation to which YHWH calls him (Exod 3–4*),[10] a literary

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and Num 16:27. Though he assigns all of these texts to J rather than E, Van Seters rightly sees the connections among them.

[9] Several scholars have commented on the nature of prophetic leadership in Num 11* and have attempted to differentiate it from prophecy *per se*. See, e.g., H. REVIV, "The Traditions Concerning the Inception of the Legal System in Israel: Significance and Dating," *ZAW* 94 (1982), 566–575, here 572; S.L. COOK, "The Tradition of Mosaic Judges: Past Approaches and New Directions," in *On the Way to Nineveh: Studies in Honour of George M. Landes* (ed. S.L. Cook and S.C. Winter; ASOR 4; Atlanta: Scholars Press, 1999), 286–315, 291; VAN SETERS, *Life of Moses* (see n. 2), 236.

[10] The J portion of Exod 3–4 comprises 3:2–4a, 5, 7–8, ועתה in v. 9, 16–20; 4:1–16, 19–20a, 21–31 (minus ואני אחזק לבו in v. 21, which was inserted by the compiler; on this point, see BADEN, *J, E, and the Redaction of the Pentateuch* [see n. 3], 273–275).

convention that paradoxically validates Moses as a true prophet.[11] YHWH also instructs Moses to perform various signs to legitimate his message, before both the Israelites (Exod 4:5, 8–9; cf. vv. 28–31) and the Egyptians (4:21).

J also highlights the superiority of Moses, but it does so in a different way than does E. J at several points equates and even conflates YHWH and Moses. For example, in the plague of blood, J's first plague,[12] Moses strikes the Nile water with his staff to enact the wonder (Exod 7:17, 20b). Yet Exod 7:25 states unequivocally that it was YHWH who struck the Nile, an assertion that emphasizes Moses's role as an intermediary but that, in light of vv. 17 and 20b, introduces an equivalence between Moses and YHWH. J also places YHWH and Moses on the same level with regard to Israelite disbelief. As noted already, to counteract their skepticism, YHWH instructs Moses to perform signs before the Israelites, and Moses does so (Exod 4:30). Subsequent miraculous acts, such as the destruction of the Egyptians in the sea in Exod 14, are viewed similarly: they legitimate Moses before Israel. Yet they do more than this. Exodus 14:31 states, "Israel saw the great hand that YHWH wrought against Egypt, and the people feared YHWH and *believed in YHWH and in Moses, his servant*."[13] Similarly, when Israel rebels in Num 14,[14] YHWH complains to Moses in v. 11: "How long will this people spurn me, and how long *will they refuse to believe in me, in all the signs that I did in their midst*?" In Exod 14 and Num 14, both by conflating the actions (and not just the words) of YHWH and Moses and by presenting the same standard for their respective legitimation, J elevates Moses to a preeminent position.

Mosaic Prophecy in D in Light of Its Sources

D's view of Mosaic prophecy builds upon the presentations of Mosaic prophecy in its sources, even as D also diverges from them. In many ways, D's engagement with the notion, practice, and production of Mosaic prophecy begins with E's boldest claim – that there was never again a prophet like Moses (Deut 34:10). Throughout its composition, D endorses this view and even, from a certain perspective, strengthens it. Yet D does not, as has been suggested, deny that Moses is a prophet (just as it should not be claimed that Mo-

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[11] N. HABEL, "The Form and Significance of the Call Narratives," *ZAW* 77 (1965), 297–323; J.-D. MACCHI, "Exode et vocation (Ex 3,1–12)," *ETR* 71 (1996), 67–74.

[12] The J blood plague comprises Exod 7:14–18, 20b–21a, 23–25.

[13] See G.W. COATS, *Moses: Heroic Man, Man of God* (JSOTSup 57; Sheffield: JSOT Press, 1988), 13.

[14] The J portion of Num 14 comprises vv. 1b, 11–25, 39–45. Cf. BADEN, *J, E, and the Redaction of the Pentateuch* (see n. 3), 116–129.

ses lacks prophetic characterization in the rest of the Torah). Nor is the comparison between prophets and Moses in D (or, for that matter, E) a comparison of the lesser prophetic office to the entirely unique Moses.[15] Rather, the issues for D are how Mosaic prophecy is distinctive and how to prioritize between prophetic mode and prophetic content in relation to the paradigmatic Moses. In the discussion below, I will focus on four D texts: Deut 5 (esp. vv. 22–31); 13:2–6; 18:15–22; and 1:9–18. I will not treat them *in extenso* but will instead highlight the way each text contributes to D's distinctive view of Mosaic prophecy (past and future), a view that emerges from D's specific engagements with its literary forebears.

Deuteronomy 5

It is well recognized that Deut 5 draws extensively from Exod 19–20, including in its near-verbatim rehearsal of the Decalogue, its narrative of the latter's revelation, and its account of the subsequent revelation of laws to Moses alone.[16] This fictive setting and the specific details of D's retelling of the Horeb event underscore its view that specifically *Mosaic* prophecy is superior to any other possible mode of discourse, including (and especially) other, non-Mosaic prophecy. These features also reveal the lengths to which D goes to prioritize itself over other self-authorizing Mosaic literary prophecy – most notably, E's Mosaic prophecy. Specifically, D aims to *delegitimize* the substance of E's Horeb prophecy, i.e., its laws. It therefore must invalidate the E narrative of the revelation and promulgation of these laws. In D's view, E's Book of the Covenant (Exod 20:22–23:33) should be understood as a corruption. It faithfully records the *kind* of laws that God gives, and their accompanying narrative correctly depicts the *mode and historical moment* of divine revelation. Yet in D's view neither E's law collection nor its Horeb narrative is genuine. Paradoxically, then, D's similarities with E serve as a sort of legitimation for D, even as E's differences from D undermine E's legitimacy.[17]

Especially significant for the present discussion is D's repurposing of the Decalogue as part of this larger revision of E. As noted above, E's Decalogue

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[15] See, e.g., M. GREENBERG, "Moses," *EncJud* 12.371–387, here 387; J.H. TIGAY, *Deuteronomy* דברים (Jewish Publication Society Torah Commentary; Philadelphia: Jewish Publication Society, 1996), 175.

[16] In my view, it is mainly the E portions of these chapters that D exploits. There may also be limited engagement in D with the J version of the Sinai theophany, most notably in Deut 4:12, which appears to be a polemic against Exod 24:10–11.

[17] See, e.g., B.M. LEVINSON, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997), 16–17; J. STACKERT, *Rewriting the Torah: Literary Revision in Deuteronomy and the Holiness Legislation* (FAT 52; Tübingen: Mohr Siebeck, 2007), 211–225.

is a demonstration of prophecy that legitimates Moses in the eyes of Israel. In D, by contrast, the Decalogue serves as the first of two covenants that YHWH establishes between himself and Israel (Deut 4:13).[18] It is *not* a validation of Moses as prophet.[19] D compensates for this elimination of prophetic authentication by locating the idea of Mosaic mediation solely in the Israelites' request, a request then approved by YHWH (Deut 5:27–28; cf. 5:5). The result is a Horeb account in which Moses requires no prophetic authentication.

The omission of this authentication from D's Horeb narrative is consistent with its treatment of Mosaic prophecy elsewhere. In fact, D never attempts to legitimate Moses before the Israelites.[20] Another remarkable instance of such lack of Mosaic authorization is found in D's reimagination of the signs and wonders (אותות ומופתים) in Egypt. D narrates no story akin to J's of Moses's performance of such marvels before the Israelites. Neither does D rehearse the plague story. Yet it does make reference to the plague account on several occasions and includes specific allusions to the plagues (אותות ומופתים) themselves (Deut 4:34; 6:22; 7:19; 11:3; 26:8; 29:2). Yet unlike J and E, D never attributes the performance of these marvels to Moses. Instead, YHWH is the sole agent responsible for them. Amidst its otherwise consistent tendency toward aggrandizing Moses,[21] D's resistance toward Mosaic signs and wonders is unexpected. Yet when considered in relation to the issue of Mosaic prophetic legitimation, this omission is comprehensible: it is likely that, as in the case of the Decalogue, D seeks here to avoid any implication that Moses's prophecy must be validated. Like E, D insists that Moses is *unlike* other prophets, but the contrast between Moses and his fellow prophets differs in these two sources. In E, the distinction between Moses and other prophets is in the quality of their divine encounter. For D, the difference is that other prophets' messages require legitimation (Deut 13:2–3; 18:20–22), but Mo-

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[18] This transformation of the Decalogue into a covenant allows D simultaneously to indict the Israelites for their disobedience (e.g., Deut 9:7) in the wilderness period and to delay Moses's presentation of the other laws revealed at Horeb – the second covenant (Deut 28:69) – until the end of his life, viz., the moment when Israel is primed to cross the Jordan from the plains of Moab into Canaan. This move seems to be an attempt to eliminate the possibility of introducing into the story subsequent Mosaic prophecy by a later author.

[19] See, e.g., HARAN, *Biblical Collection* (see n. 1), 2.160–161.

[20] In this regard, D is similar to P, which also omits an attempt to authenticate Moses as a prophet before his Israelite audience. On this point, see J. STACKERT, "Why Does the Plague of Darkness Last for Three Days? Source Ascription and Literary Motif in Exod 10:21–23, 27," *VT* 61 (2011), 657–676.

[21] Cf. J.S. BADEN, "The Deuteronomic Evidence for the Documentary Theory," in *The Pentateuch: International Perspectives on Current Research* (ed. T.B. Dozeman *et al*.; FAT 78; Tübingen: Mohr Siebeck, 2011), 327–344. Baden emphasizes D's tendency to attribute to Moses those actions that are attributed to different characters elsewhere and to otherwise focus attention on Moses at the expense of others.

ses's do not. Doubting Moses or, by extension, the product of his prophetic work (D itself) is not to be countenanced.

Deuteronomy 13:2–6

D's engagement with its sources in Deut 13:2–6 is more controversial than in the case of its Horeb narrative, but it is equally significant for understanding D's view of Mosaic prophecy. This unit is the first of three successive laws in Deut 13 addressing inducements to apostasy:

> [2] If a prophet or dream diviner arises in your midst and gives a sign or wonder, [3] and the sign or wonder succeeds – one who spoke to you, saying, "Let us go after other gods whom you have not experienced, and let us serve them!" – [4] do not listen to the words of that prophet or dream diviner, for YHWH your god is testing you, to know whether you love YHWH your god with all your heart and soul. [5] After YHWH your god shall you walk, and him shall you fear; his commands should you observe, and his voice should you heed; him shall you serve, and to him should you cling. [6] As for that prophet or dream diviner, he shall be put to death, for he encouraged rebellion against YHWH your god, who brought you out from the land of Egypt and redeemed you from the house of bondage, to drive you from the way in which YHWH your god commanded you to walk. Thus shall you purge the evil from your midst.[22]

These verses address prophetic incitement by contemplating an ostensibly ideal prophetic encounter. A prophet offers a divine message that is accompanied by a successful marvel. Such corroborative action, common to ancient Near Eastern prophetic practice, including ancient Israelite and Judean prophecy,[23] is meant to validate prophetic claims. In the case of signs and wonders, the successful marvel is thought to originate from the deity whose name was previously invoked by the prophet (cf. Exod 3:12; 7:17, 20b, 25). The problem in the prophetic encounter imagined in Deut 13:2–6 is the conflict between the successful authentication of the prophetic message and the religious claims of the unit's larger literary setting, i.e., the insistence of D upon fidelity to YHWH alone. Verse 4 reveals the imagined scenario as a test, and it is one that weds the literary and practical aspects of religion to its desired end, an end restated with emphatic syntax in v. 5: "After *YHWH your God* shall you walk, and *him* shall you fear; *his commands* shall you keep, and *him* shall you obey; *him* shall you serve, and *to him* shall you cling."

Yet the extent of the challenge to contemporary Judean religion in this text is not exhausted by its defiance of the norms of prophetic legitimation and its attempt to subordinate such religious practice. Deuteronomy 13:2–6 antici-

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[22] For a discussion of my translation of vv. 2–3 and my view of the compositional unity of vv. 2–6, see STACKERT, "Syntax of Deuteronomy 13:2–3" (see n. 6).

[23] See STACKERT, "Syntax of Deuteronomy 13:2–3" (see n. 6) and the literature cited there.

pates a potential threat in its own prioritization of Mosaic prophecy and, in particular, a potential recurrence of Mosaic-style prophetic innovation. This anxiety is manifest in Deut 13's recapitulation of the specifically *Mosaic* activities described in the Elohistic narrative of Moses's initial interaction with YHWH in Exod 3. Especially relevant are vv. 9–15:[24]

> [9] "The cry of the Israelites has come to me. I have also seen the oppression that the Egyptians are perpetrating against them. [10] Now go, that I may send you to Pharaoh and bring my people, the Israelites, out of Egypt!" [11] Moses said to God, "Who am I that I should go to Pharaoh and bring the Israelites out of Egypt?" [12] He said, "Surely I will be with you, and this will be the sign that I sent you: when you bring the people out of Egypt, you will worship God on this mountain." [13] Moses said to God, "When I come to the Israelites and say to them, 'The god of your fathers sent me to you,' and they say to me, 'What is his name?' what shall I say to them?" [14] God said to Moses, "I will be what I will be." He said, "Thus shall you say to the Israelites: 'I-will-be sent me to you.'" [15] God also said to Moses, "Thus shall you say to the Israelites: 'YHWH, the god of your fathers – the god of Abraham, Isaac, and Jacob – sent me to you. This is my name forever, and this is my appellation for all time.'"

In each of these texts – Exod 3 and Deut 13 – a previously unknown prophet[25] sent by YHWH comes to the Israelites and adjures them to worship a god whom they have not experienced.[26] In the case of Exod 3, God has overheard the Israelites' cries in Egypt and decides to act. Yet upon learning the divine plan, Moses correctly recognizes that the Israelites' experience of their god

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[24] The E narrative in Exod 3–4 comprises 3:1, 4b (minus מתוך הסנה, which the compiler inserted in the place of either מן־ההר or מן־השמים – "from the mountain" or "from the heavens"; cf. Exod 19:3; Gen 21:17; 22:11, 15 – all E texts that describe divine "calling"), 6a, 9 (minus ועתה)–15, 21–22; 4:17–18, 20b. For similar source divisions and discussions of the same, see BADEN, *J, E, and the Redaction of the Pentateuch* (see n. 3), 269–270; B.J. SCHWARTZ, "The Visit to Jethro: A Case of Chronological Displacement? The Source-Critical Solution," in *Mishneh Todah: Studies in Deuteronomy and Its Cultural Environment in Honor of Jeffrey H. Tigay* (ed. N.S. Fox *et al*.; Winona Lake, Ind.: Eisenbrauns, 2009), 29–48, here 46, esp. n. 51.

[25] On the basis of its similarity to the characterization of the prophet in Deut 18:15, it is likely that Deut 13:2 intends that the prophet or dreamer in its imagined scenario is previously unknown.

[26] To be sure, the issue of the deity's (/deities') familiarity is different in Exod 3 as compared to Deut 13. In Exod 3, the Israelites at this point in the story do not know YHWH's name. They instead know their god as the god of their fathers, Abraham, Isaac, and Jacob. In his encounter with YHWH, Moses learns the divine name, which he then communicates to the Israelites, and E continues to emphasize the intimacy of Moses with YHWH (Num 12; Exod 33:11; Deut 34:10–12). In Deut 13, the sense of "unknownness" is at least potentially greater, even as it can be analogized to the case of the Israelites and YHWH in Exod 3.

has been drastically different from what the deity is now planning for them.[27] Moses thus requests on their behalf a fuller description of their god. This request, ostensibly for God's "name," is not only an attempt to legitimate the prophet; it is also an endeavor to understand the divine character. The question is, in effect, what is this god really like?[28] God's response is אהיה אשר אהיה, which I might paraphrase, "I can do anything," perhaps also implying "in any place," a point emphasized later in E (Exod 20:24). Revealing this self-characterization as a pun, the deity then discloses his proper name, YHWH. Yet it is the pun itself that is of primary import to the narrative, and, as I will argue, it is the innovation to which this pun points that D seeks to quash.

As is the case for Moses in Exod 3, the prophet in Deut 13 would arise and adjure the Israelites to follow a god they have not experienced. He then legitimates his message by performing a sign or wonder. Alongside D's main engagement with E, it is likely that D here is also informed by J in its reference to a sign or wonder.[29]

Many exegetes contend that the portrayal of this imagined prophet is polemically constructed by an author who condemns it. In so doing, they regularly point to the clause אשר לא ידעתם ("whom you have not experienced") in v. 3. They argue that this clause is not part of the quotation of the prophet but editorializes upon it, creating distance between the prophet's message and its recipients. Yet the extent of the similarities between the prophet in Deut 13 and the account of Moses in Exod 3, including the reference to unfamiliar אלהים, suggests that Deut 13 is intentionally modeled on the E story.[30] If this is the case, אשר לא ידעתם should be viewed as part of the prophet's speech and

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[27] Prior to the plagues and his intervention to dispose the Egyptians favorably toward the Israelites, the only indication in E of divine interaction with the Israelites in Egypt is in the midwives narrative in Exod 1:15–22.

[28] The literature on the divine name in Exod 3 is voluminous. In my view, one of the most promising treatments, though differing from my own in some marked ways, is J.-P. SONNET, "*Ehyeh asher ehyeh* (Exodus 3:14): God's 'Narrative Identity' among Suspense, Curiosity, and Surprise," *Poetics Today* 31 (2010), 331–351. Sonnet's approach is decidedly synchronic; nonetheless, his emphasis upon the role of the divine utterance אהיה אשר אהיה within its narrative context is very helpful and anticipates my own approach. The major difference is our definitions of the narrative context.

[29] Exod 4:8, 9, 21, 28, 30; 10:1–2; cf. E: Exod 4:17; 11:1; Deut 34:11.

[30] The nature of reuse here is different from many instances that scholars have highlighted between D and the non-Priestly portions of Exod and Num. It is not a lemmatic style of citation but instead one of allusion, with implicit reference to the Moses stories in Exod 3–4. For a helpful discussion of these categories of reuse, see B.D. SOMMER, *A Prophet Reads Scripture: Allusion in Isaiah 40–66* (Contraversions: Jews and Other Differences; Stanford: Stanford University Press, 1998), 6–31.

not as a reflection of the author's negative bias against him.[31] In fact, this clause functions in exactly the opposite way: it is part of Deut 13's characterization of this prophet as a prophet *par excellence*, a prophet who might rightly be labeled a prophet *like Moses* (indeed, almost exactly like Moses!). Yet because of the potential for religious innovation that attends them, the characteristics of Mosaic prophecy in this case are judged unreliable.[32] Deuteronomy 13 insists that its imagined prophet be evaluated solely on the basis of his message's correspondence with or divergence from what D presents as Moses's prophetic message. In other words, it is to be judged according to its conformity with D.[33] D's canon formula – "do not add and do not subtract" (Deut 13:1; cf. 4:2) – the irony of which is often cited in relation to D's revision of Covenant Code law, immediately precedes Deut 13's prophecy unit and very much applies to the phenomenon of Mosaic prophecy itself. The insistence of the text is clear: there can be no new Moses.

Deuteronomy 18:15–22

Deuteronomy 13 is not D's final or even most explicit word on Mosaic prophecy. Deuteronomy 18:15–22 also addresses this topic, not only anticipating future Mosaic prophecy but also giving definition and sanction to the same.[34] In so doing, this text argues, at least to some extent, against E's characterization of Mosaic prophecy as distinctive in Exod 33:11; Num 12:6–8; and Deut 34:10. Yet it also finds an important analogue in E's story of the el-

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[31] The author does, however, include two negative assessments of the prophet in this unit. As I will discuss further below, the inclusion of signs and wonders here is suggestive of D's evaluation of this prophet. Moreover, the prophet's characterization of the gods as "other" likewise reveals D's negative view of him. Both E and D consistently condemn the worship of אלהים אחרים (Exod 20:3; 23:13; Deut 5:7; 6:14; 7:4; 8:19; 11:16, 28; 13:7, 14; 17:3; 18:20; 28:14, 36, 64; 29:25; 30:17; 31:18, 20).

[32] *Pace* R.R. WILSON, *Prophecy and Society in Ancient Israel* (Philadelphia: Fortress, 1980), 165.

[33] See, e.g., H. BARSTAD, "The Understanding of the Prophets in Deuteronomy," *SJOT* 8 (1994), 236–251; B.M. LEVINSON, "The First Constitution: Rethinking the Origins of Rule of Law and Separation of Powers in Light of Deuteronomy," *Cardozo Law Review* 27 (2006), 1853–1888 (esp. 1882–1884).

[34] Several scholars have argued for the influence of Jer in this unit. See, e.g., M. KÖCKERT, "Zum literargeschichtlichen Ort des Prophetengesetzes Dtn 18 zwischen dem Jeremiabuch und Dtn 13," in *Liebe und Gebot: Studien zum Deuteronomium* (ed. R.G. Kratz and H. Spieckermann; FRLANT 190; Göttingen: Vandenhoeck & Ruprecht, 2000), 80–100; E. NICHOLSON, "Deuteronomy 18.9–22, the Prophets and Scripture," in *Prophecy and the Prophets in Ancient Israel* (ed. J. Day; New York: T&T Clark, 2010), 151–171. For a recent restatement of the argument for influence in the opposite direction, see W.L. HOLLADAY, "Elusive Deuteronomists, Jeremiah, and Proto-Deuteronomy," *CBQ* 66 (2004), 55–77 (esp. 66–68; see also the bibliography cited there).

ders in Num 11. Deuteronomy 18 asserts that there is a place for Mosaic prophecy in Israel's future. But D's view of future Mosaic prophecy hardly aligns with Moses's own desire in Num 11:29, alluded to already: "Would that all of YHWH's people were prophets, that YHWH would set his spirit upon them!"

Instead D narrowly circumscribes future licit prophecy in Israel: such prophecy must come from YHWH alone (Deut 18:20) and may only be consultative prophecy (18:21–22):[35]

> [20] But the prophet who presumes to speak a word in my name that I did not command him to speak or who speaks in the name of other gods – that prophet shall die. [21] Should you ask yourself, "How can we recognize the word that YHWH did not speak?" [22] If the prophet speaks in the name of YHWH and the word is not correct or does not come true, that is the word that YHWH did not speak. The prophet spoke it presumptuously. You need have no fear of it.[36]

Most scholars who have treated vv. 20–22 have focused on the distinction between true and false prophecy, yet I would argue that it is the limitation of the *category* of prophecy that is the real significance of these verses. This category – *consultation* – is revealed both in the particularities of D's verification criterion itself and in the larger context of its prophetic rules.

The two clauses ולא־יהיה הדבר ולא יבוא ("and the word is not correct or does not come true") in Deut 18:22's verification criterion suggest that it imagines two subtypes of prophetic mediation, both of which are consultative. The first, indicated by ולא־יהיה הדבר, concerns an inquiry regarding what should be done. The second, indicated by ולא יבוא, concerns an inquiry regarding what will occur. Biblical literature records several such divinatory inquiries.[37] In some cases, biblical accounts of divination combine these two kinds of questions. For example, 1 Sam 30:8 records David asking YHWH, "Shall I pursue this troop? Will I overtake it?" Similarly, in 2 Sam 5:19, David inquires, "Shall I go up against the Philistines? Will you deliver them into my hand?" Though not indicating explicitly the questions asked, the divine response in 1 Sam 23:4 suggests another such pairing of inquiries: "YHWH an-

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[35] *Pace* TIGAY, *Deuteronomy* (see n. 15), 176.

[36] Scholars have debated the intended antecedent to the pronominal suffix in the final clause in this verse (לא תגור ממנו): does it refer to the prophet or his message? Contextually, it seems that this pronoun must refer to the message and not to the prophet. Because the prophet who offers a prophetic word that does not originate with YHWH is subject to death, there is little reason to fear him.

[37] See especially Judg 1:1; 20:18, 23, 27; 1 Sam 10:22; 23:2, 4; 28:6; 30:8; 2 Sam 2:1; 5:9, 23; 20:18; Ezek 21:26; 1 Chr 10:13.

swered him and said, 'Arise, go down to Qeilah, for I will give the Philistines into your hand.'"[38]

The larger literary context of Deut 18:20–22 is equally significant for understanding D's view of future prophecy. Verses 15–22, with their guidelines for licit prophecy, immediately follow prohibitions against various consultative forms of divination in vv. 9–14 and should be read in light of them.[39] The YHWH-alone imperative (v. 20) corresponds with Deut 18:12–14, which associate other forms of divination with foreign nations and gods other than YHWH. The verification criterion and its applicability only to consultative prophecy (vv. 21–22) correspond with the mantic practices themselves (in 18:10–11) and highlight prophecy as an explicit alternative to them.

It is thus shown that neither the YHWH-alone imperative nor the verification criterion countenances new prophetic messages like the bulk of Moses's own prophetic utterances. Indeed, there is no allowance made whatsoever for unsolicited divine instructions akin to the typical messages delivered by Moses. Prophecy is instead limited to a narrow, consultative function akin to the divinatory practices proscribed in vv. 10–11 and in line with the judgment on the prophetic scenario envisioned in Deut 13. This limitation of prophecy is emphasized further by its association with other, similarly limited authoritative offices (most notably, the monarchy) in the preceding units in chs. 16–18,[40] even as prophecy is authorized by its explicit association with Moses. For D, the written text has triumphed decisively over the oral message of the prophet, and it is this prophetic text that endures in D's centralized locale as a basis for future society and rule (Deut 17:18–20).

Finally, it is noteworthy that D omits from its law concerning future prophecy any role for legitimating signs and wonders.[41] What is characteristic of Mosaic prophecy in J and indeed YHWH's own legitimation before Israel in this source is made illegitimate in D. When D considers signs and wonders at all, it alternatively views them with suspicion, relegates them to the past, or even reimagines their performance to eliminate Moses's role from it. Any subsequent attempts at legitimation through signs and wonders, such as by the prophet imagined in Deut 13, are judged dangerous and to be avoided in favor of the D covenant text. The legitimation that Deut 18 does imagine – success-

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[38] For recent discussion of these examples as mantic inquiries, see J.L. COOLEY, "The Story of Saul's Election (1 Samuel 9–10) in the Light of Mantic Practice in Ancient Iraq," *JBL* 130 (2011), 247–261, here 257–258.

[39] See, e.g., WILSON, *Prophecy and Society* (see n. 32), 159–161; S. TENGSTRÖM, "Moses and the Prophets" (see n. 2), 261; *pace* BARSTAD, "Understanding of the Prophets" (see n. 33), 244–246.

[40] See B.M. LEVINSON, "The Reconceptualization of Kingship in Deuteronomy and the Deuteronomistic History's Transformation of Torah," *VT* 51 (2001), 511–534.

[41] See TIGAY, *Deuteronomy* (see n. 15), 178.

ful advice and prediction – is applicable to its specific limitation of future prophecy and, by being included at all, further underscores the contrast between Moses and future prophecy. That D allows even a limited continuation of prophetic divinatory consultation seems best explained as a concession to real historical practice in ancient Judah – indeed, the same historical practice that likely stands behind D's litany of prohibitions against other forms of divination in 18:9–14. Yet it might even be argued that D effectively eliminates this circumscribed future prophetic role by subjecting its practitioners to death for failed prophetic messages.[42]

Deuteronomy 1:9–18

A fourth text particularly relevant to the topic of Mosaic prophecy in D is Deut 1:9–18. Like the foregoing units, this text also engages in literary revision of prior texts. Yet unlike the examples already considered, it is significant for the present discussion solely because of what it omits from its sources. Deuteronomy 1:9–18 combines the story of the distribution of the Mosaic spirit upon the Israelite elders in Num 11 with the story of the appointment of judges from Exod 18.[43] In so doing, it eliminates entirely the distribution of prophetic power – Moses's spirit – from the judges. It certainly omits any reference to a Mosaic desire for pan-Israelite prophecy. D instead assimilates Num 11 under the rubric of nonprophetic judgment.

D's historical claims concerning Horeb and the particular content of the laws that Moses recounts in the plains of Moab confirm this intent to completely supplant Num 11's advocacy of distributed prophetic power. Within the E source, Num *follows* the Horeb revelation of the covenant to Moses and the subsequent golden calf incident. Yet D claims that its laws are those of the covenant that Moses received from YHWH *at Horeb*. Thus, its legislation, including its laws that severely restrict prophecy, are to be understood as historically *antecedent* to events in Num 11. The implication is that, because Moses knew the laws that YHWH had given him on the mountain, he could never have said in good faith something like, "Would that all of YHWH's people were prophets, that YHWH would set his spirit upon them!" (Num 11:29b). E's Horeb covenant, by contrast, contains no laws restricting prophecy. Thus Moses's exclamation in Num 11 causes no such problem in the E source. Moreover, E's concern is not to protect Moses or his legacy. Moses himself says as

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[42] See BARSTAD, "Understanding of the Prophets" (see n. 33), 245–246.

[43] For analyses of the relationship among these texts, see esp. M.Z. BRETTLER, *The Creation of History in Ancient Israel* (London: Routledge, 1995), 65–70; HARAN, *Biblical Collection* (see n. 1), 2.197 n. 16; SCHWARTZ, "Visit to Jethro" (see n. 24), 36–37; BADEN, "Deuteronomic Evidence" (see n. 21). Baden highlights D's objection to the distribution of the prophetic spirit.

much in response to Joshua: "Are you jealous on my behalf?" (Num 11:29a). D, however, has precisely this defensive stance. It thus agrees wholeheartedly with E's effusive description of Moses in Num 12, but it rejects the humble and democratic Moses of Num 11.

D, the Torah Sources, and Prophecy Elsewhere in the Bible

D's reimagination of Mosaic prophecy must be assessed in relation to its larger reuse and revision of its sources. As I noted at the outset, in both its legal corpus and the parenetic speeches that surround it, D presumes to describe the same historical events that E narrates, including the content of E's divine revelation. As such, its recastings of the laws and narratives of E are irreconcilable alternatives to the latter. I have dealt here with several such examples in D's reimagination of E narrative, but paradigmatic instances are also found in D's revision of E's legal corpus, including its centralization laws (Deut 12), seventh-year agricultural laws (Deut 15:1–11), manumission laws (Deut 15:12–18), festival laws (Deut 16), and asylum laws (Deut 19:1–13).[44]

D exhibits less evidence of interaction with J and none with P. In the case of P, it is likely that D simply did not know this document. It is also possible, of course, that P did not yet exist at the time that D was composed. In the case of J, it seems that D was simply more concerned with E and used it, rather than J, as its controlling template.[45] In all likelihood, the lack of laws in J limited the threat that it posed to D and thus truncated D's engagement with it. Still, D stands in marked relief from J and P, just as it does from E. We have seen the different approaches of J and D to Mosaic prophecy, and though I did not examine them closely here, P and D exhibit similar contrasts. These disagreements consistently point to the same conclusion. The Torah sources cannot be reconciled with each other because they were not written to be. Rather, each presents an exclusive account of the events of the wilderness period.

D's laws that treat prophecy accord well with its compositional method and goals: though drawing extensively from source material, they also substantially undermine their literary patrimonies. One feature that distinguishes D's laws on prophecy from many of its other revisionary laws is their interaction with strictly narrative source material. In most of its revisionary legislation, D replaces law with law. In the cases examined here, D responds to and draws upon narrative in its composition of law, moving from the flourish of

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[44] See STACKERT, *Rewriting the Torah* (see n. 17), *passim*.

[45] D's primary use of J is to buttress its claim that Israel has been intransigent throughout its entire wilderness wandering. See BADEN, *J, E, and the Redaction of the Pentateuch* (see n. 3), 178.

prose to parenetic legal instruction. In addition to any inferences that can be drawn from the specific content of D's laws on the subject, this shift from narrative to law underscores D's threatened stance with regard to prophecy and specifically Mosaic prophecy, a stance that is not evident in either J or E. E speaks effusively of the incomparability of Moses; D operationalizes this incomparability and does so in a way that is distinctly to its own advantage. J views legitimation through signs as a *sine qua non* of licit prophecy; D eliminates entirely this validation practice. As a competing and revisionary text, D's authors know well the stakes of the game and play to win. In light of such observations, we may conclude that any coherence that D exhibits with the other Torah sources is an abstracted one that assumes a reader with *a priori*, postcompilation assumptions.

Finally, the claims made here regarding D and its vision for a circumscribed future for prophecy also have implications for understanding the relationship between D and other biblical compositions that contain prophets and prophecy. Many scholars have argued that Deut 18 anticipates a succession of prophetic leadership or refers to a specific biblical character who follows Moses's prophetic example (e.g., Joshua, Jeremiah), and they have done so primarily on the basis of other biblical texts.[46] The Deuteronomistic History describes, without apparent condemnation, numerous prophets who perform a wide range of prophetic activities, several of which go beyond the restrictions that Deut 18 places upon future licit prophecy. Likewise, several "classical" biblical prophetic books exhibit significant theological and literary ties to D – perhaps none more so than Jeremiah – even as these books portray a floruit of prophetic activity that goes far beyond what D advocates.[47] In my view, such differences from D in other so-called Deuteronomic literature are unproblematic. D's preferences are in many instances highly idealistic, and its views of future prophecy are among its most severe and impractical. Subsequent Jude-

[46] For the claim for a succession of Mosaic prophets, see, e.g., C. STEUERNAGEL, *Übersetzung und Erklärung der Bücher Deuteronomium und Josua und allgemeine Einleitung in den Hexateuch* (HKAT I/3; Göttingen: Vandenhoeck & Ruprecht, 1900), 70; S.R. DRIVER, *A Critical and Exegetical Commentary on Deuteronomy* (3rd ed.; ICC; Edinburgh: T&T Clark, 1902), 229; WILSON, *Prophecy and Society* (see n. 32), 157, 165; TENGSTRÖM, "Moses and the Prophets" (see n. 2), 262; TIGAY, *Deuteronomy* (see n. 15), 175. For arguments in favor of a particular referent for the "prophet like Moses," see, e.g., BARSTAD, "Understanding of the Prophets" (see n. 33), 243; HOLLADAY, "Elusive Deuteronomists" (see n. 34), 66–69; TENGSTRÖM, "Moses and the Prophets" (see n. 2), 262–263.

[47] For varying discussions of prophecy in the Deuteronomistic History and the influence of Deuteronomic thought in biblical historical texts and classical prophecy, see, e.g., WILSON, *Prophecy and Society* (see n. 32), 166–252; BARSTAD, "Understanding of the Prophets" (see n. 33), 250–251; TENGSTRÖM, "Moses and the Prophets" (see n. 2); J. BLENKINSOPP, *A History of Prophecy in Israel* (rev. ed.; Louisville: Westminster John Knox, 1996), 161–165.

an literature that harks back to D does not necessarily do so slavishly. The similarities among such literary works might best be viewed (in the Wittgensteinian sense) as family resemblances.[48] The character of prophecy after Moses, it seems, is not a necessary point of full agreement. Nevertheless, as noted above, several examples of divinatory inquiry in the Deuteronomistic History do accord with D's stated preference for future prophecy, just as much classical biblical prophetic literature betrays the influence of D generally and its prophetic law in Deut 18:15–22 in particular. Yet even partial correspondence between D's views and portrayals of prophecy in biblical literature influenced by D is likely sufficient to suggest substantial agreement between the *comparanda*.[49]

Conclusion

In sum, D draws extensively from its literary forebears in its conception of the content, practice, and distribution of Mosaic prophecy, even as it also departs from these sources in important ways. Paradoxically, the most significant feature of D's portrayal of Mosaic prophecy that it inherits is its fundamental ambivalence toward the phenomenon itself: like E, D insists upon the incomparability of Moses's prophetic persona, even as it also conceives of other prophets "like Moses." Yet by making Mosaic prophecy the medium for its exclusivist message, D utilizes E's hagiographical flourish to programmatically secure its own literary and legal legacy. In so doing, it is forced, however reluctantly, to maintain the legitimacy of prophecy itself. Thus faced with the prospect of future prophetic activity, D draws its potential enemies close: it ensures that subsequent prophets "like Moses" will be poor reflections of the master, if identifiable at all. But when undercutting other prophets, D is careful to maintain their characterization as Mosaic, for in so doing, D ensures its own relation to them. This relation emphasizes and extends D's own prophetic preeminence while simultaneously severely limiting potential prophetic challenges to its authority. Yet this approach to prophecy does even more: it sets D in tenuous relation both with the other Torah sources, which offer alternative views of Mosaic prophecy, and Deuteronom(ist)ic literature elsewhere in the Bible, much of which conflicts with D's stipulations for post-Mosaic prophecy.

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[48] L. WITTGENSTEIN, *Philosophical Investigations* (trans. G.E.M. Anscombe; 3rd ed.; Oxford: Basil Blackwell, 1967), §§ 65–67.

[49] Cf. WITTGENSTEIN, *Philosophical Investigation*s (see n. 48), § 71.

Placing the Name, Pushing the Paradigm

A Decade with the Deuteronomistic Name Formula

Sandra Richter

In 2002 I published *The Deuteronomistic History and the Name Theology: lĕšakkēn šĕmô šām in the Bible and the Ancient Near East*.[1] My interest in the Name Theology was originally sparked in a Harvard Hebrew 200 seminar in which I was asked to write a paper on the Deuteronomist and the temple. In the process of researching the paper, I found that every study I encountered regarding the temple in the Deuteronomistic History (DH) *assumed* some form of the Name Theology. As the immanence-to-transcendence paradigm of the Name Theology is clearly reminiscent of nineteenth-century developmental models of Israelite religion – models unfavorably critiqued decades ago – I was intrigued. Moreover, I was intrigued by the fact that every form of the Name Theology I encountered eventually resorted to the Deuteronomic idiom *lĕšakkēn šĕmô šām* for substantiation. Hence, I set out to evaluate this idiom based upon a comparative-linguistic method to determine if the idiom actually supported the hermeneutical paradigm it had supposedly fostered. The seminar paper grew into an SBL presentation, the presentation into a prospectus, the prospectus into a dissertation, the dissertation into a monograph. The end result was a corrected translation of *lĕšakkēn šĕmô šām*, which made it clear that the biblical idiom had nothing to do with an abstraction of the divine presence in the holy place as the Name Theology claimed.

As might be expected, the study was welcomed by a flurry of scholarly activity, with responses falling into one of two categories: (1) those interested in incorporating the socio-linguistic data into existing and evolving historical paradigms, and (2) those responding to the critique of the Name Theology. This essay speaks to that ongoing conversation first by summarizing my own findings and second by interacting with those who have joined the dance.

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[1] S.L. RICHTER, *The Deuteronomistic History and the Name Theology: lĕšakkēn šĕmô šām in the Bible and the Ancient Near East* (BZAW 318; Berlin: de Gruyter, 2002).

What Is the Name Theology?

In its classic form, the Name Theology proposes a three-stage evolution of divine presence in Israelite religion in which the anthropomorphic and immanent images of the deity in the JE sources are intentionally replaced by the semiabstract, even hypostatic image of the deity in Deuteronomy and the DH, and this by the more abstract and transcendent perception of the deity in the P source. The argument is that the Deuteronomist(s) took "exception to the idea that YHWH selected Jerusalem as a dwelling," and therefore corrected this "older and more popular idea" that God lives in the temple with the idea that he is only hypostatically present in the temple by means of his *name*.[2] This "Deuteronomistic correction" is allegedly articulated by the Deuteronomic phrase *lĕšakkēn šĕmô šām*, traditionally translated "the place in which YHWH your God will choose to cause his name to dwell." According to the theory, *lĕšakkēn šĕmô šām* is then to be linked to 2 Sam 7:5 and 1 Kgs 8. As summarized by Tryggve Mettinger, here YHWH rebukes David for asking to build a house for God to "dwell in" (2 Sam 7:5), but reassures David that his descendant will be allowed to build a house "for my Name" (2 Sam 7:13)[3] and subsequently confirms that promise by accepting the temple built by Solomon, "not a house in which God himself would dwell (*bayit lĕšibtî*, v. 5), but only a *bayit lišmî*, an envelope for his Name (v. 13 [cf. 1 Kgs 8:17, 18, 19, 20, 44, 48])."[4] Thus, to quote Gerhard von Rad, "the old crude idea" of YHWH's actual presence in the temple is replaced with the "theologically sublimated idea" of his abstracted, semihypostatic presence in the temple – a mode of presence purportedly communicated by the word "name."[5]

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[2] Translated from B. STADE, *Geschichte des Volkes Israel* (2 vols.; Berlin: G. Grote, 1887), 247, and G. VON RAD, *Old Testament Theology* (2 vols.; Harper San Francisco, 1962 [1957]), 1.184; cf. RICHTER, *Deuteronomistic History* (see n. 1), 7–35.

[3] See RICHTER, *Deuteronomistic History* (see n. 1), 28 n. 104. Because the Chronicler's parallel to 2 Sam 7:13 replaces *šĕmî* with *lî* (1 Chr 17:12), and the LXX reads this passage "he will build for me a house to my name," the conclusion of the Name Theology has been that the original reading of 2 Sam 7:13a was actually *lî* and this was replaced by the Deuteronomic interpolation *šĕmî*. As S.D. MCBRIDE summarizes, 2 Sam 7:13a is therefore considered the "first reference to Name Theology in the Deuteronomic History. […] [T]he 'house' became the abode of Yahweh's 'name' rather than Yahweh himself" ("The Deuteronomic Name Theology" [Ph.D. diss., Harvard University, l969], 187–188; cf. H. GESE, "Der Davidsbund und die Zionserwählung," *ZTK* 61 [1964], 21–22). For further discussion, see RICHTER, *Deuteronomistic History* (see n. 1), 68 n. 60.

[4] T.N.D. METTINGER, *Dethronement of Sabaoth: Studies in the Shem and Kabod Theologies* (trans. F.H. Cryer; ConBOT 18; Lund: Gleerup, 1982), 49.

[5] G. VON RAD, *Studies in Deuteronomy* (trans. D. Stalker; SBT 9; London: SCM, 1953), 38–39; cf. RICHTER, *Deuteronomistic History* (see n. 1), 7–36.

Whence the Name Theology?

In *The Deuteronomistic History and the Name Theology*, I identified two typically unidentified interpretive streams that were critical to the formation of the Name Theology and its renderings of Deuteronomy's idiom.[6] I name these issues here because I believe they continue to shape the contemporary discussion. The first is "nominal realism," a term that derives from the discipline of developmental psychology and is used to describe preabstract thought in children. Leaning on S. Dean McBride's 1969 dissertation,[7] I discovered that many of the key concepts within the Name Theology emerge from an assumed "ontogeny recapitulates phylogeny" sort of relationship between the cognitive capacities of children and those of the ancients. Hence, when the eighteenth-century discussion of myth and language linked myth-making to prelogical thought and these to the three-stage developmental paradigm of the history-of-religions school, the groundwork was laid for Rudolf Smend's seminal 1893 thesis regarding the peculiar use of "name" in Deuteronomy and the DH. Here Smend argued that Deuteronomy's "name" was an expression of the Semitic perception that name and essence were "consubstantial" and that, therefore, the "name" of the Deuteronomic formula constituted a certain "cultic presence" of YHWH that could be invoked at a legitimate shrine.[8] Friedrich Giesebrecht furthered this line of thought, concluding that in Israelite thought YHWH's name served as a proxy for its bearer – a real but hypostatized aspect of YHWH, ever present and ever immanent in the sanctuary.[9] And finally, Oskar Grether synthesized all that had come before when he claimed that the name of God in Deuteronomy emerged in the seventh century as a Deuteronomic theologoumenon intended to correct the earlier concept of an immanent deity, while maintaining the "nearness to save" of a hypostatized presence in the temple.[10] In sum, the idea was that by placing his *name* in the temple, YHWH had placed some abstracted aspect of his own essence there.

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[6] RICHTER, *Deuteronomistic History* (see n. 1), 11–25.

[7] MCBRIDE, "Deuteronomic Name Theology" (see n. 3).

[8] R. SMEND, *Lehrbuch der Alttestamentliche Religions-Geschichte* (Freiburg: Mohr, l893), 281 n. 1; cf. RICHTER, *Deuteronomistic History* (see n. 1), 21–22; cf. E. CASSIRER's discussion of prelogical expression in *Language and Myth* (trans. S.K. Langer; New York: Dover, 1953 [1946]): "The notion that name and essence bear a necessary and internal relation to each other, that the name does not merely denote but actually *is* the essence of its object, that the potency of the real thing is contained in the name – that is one of the fundamental assumptions of the mythmaking consciousness itself" (3).

[9] F. GIESEBRECHT, *Die alttestamentliche Schätzung des Gottesnamens und ihre religionsgeschichtliche Grundlage* (Königsberg: Thomas & Oppermann, l901).

[10] O. GRETHER, *Name und Wort Gottes im Alten Testament* (BZAW 64; Giessen: A. Töpelmann, 1934).

My argument is that it is the residue of nominal realism and its "naïve form of linguistic realism" in biblical studies that has helped to birth and maintain the interpretations of the Deuteronomic name formulae that have fostered the Name Theology.[11]

The second interpretive stream that has been instrumental in the formation of the Name Theology is what James Barr dubbed "illegitimate totality transfer" – that practice of identifying every possible meaning of a word in any context and then reading all those meanings back into a particular context.[12] The label is "intended to stress the simple fact that any one instance of a word will not bear all the meanings possible for that word."[13] As regards the Name Theology, this involves the oft-repeated lexicographic error of blending together the numerous, distinct ANE name and naming idioms in order to discover a quintessential theological concept that informs them all – what is often spoken of as "the concept of *šēm*" in the ANE. As Barr predicts, the result has been an individual word ("name") that is "overloaded" with meaning.[14] As Barr taught us, the solution to this methodological error is to direct our lexicographic research "towards the semantics of words in their particular occurrences."[15] This was the objective of *The Deuteronomistic History and the Name Theology* – to investigate the meaning of the Deuteronomic idiom, and specifically the word *šēm* within that idiom, in its *particular* occurrences in Deuteronomy and the DH.

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[11] H. MARKS, "Biblical Naming and Poetic Etymology," *JBL* 114 (1995), 23. In his assessment of previously held notions regarding "name" as "essence" in the ancient Near East, Marks states that "[r]eports on the magical virtue of names were a staple of the classic anthropological literature, and the same orientation was perhaps to be expected among older critics attracted by the comparatist's appeal to universals of human behavior. […] [E]ven scholars at home with the skeptical stances of modern literary theory […] have tended to adopt the primitivist approach to the name traditions" (23). Marks traces the modern perception "that biblical naming intends a direct rapport with the essential being of the object named" to I.M. CASANOWICZ's *Paronomasia in the Old Testament* (Boston: J.S. Cushing, 1894) and ultimately to "the speculative pretensions of Cratylism" as derived from Plato's *Cratylus* (MARKS, "Biblical Naming," 23–24). Marks also provides bibliography for those interested in pursuing the philosophical underpinnings and evolution of this idea in literary, theological, and sociological studies.

[12] J. BARR, *The Semantics of Biblical Language* (London: Oxford University Press, 1961; repr., London: SCM, 1983).

[13] M. SILVA, *Biblical Words and Their Meaning: An Introduction to Lexical Semantics* (Grand Rapids, Mich.: Academie Books, 1983), 25.

[14] BARR, *Semantics* (see n. 12), 246.

[15] BARR, *Semantics* (see n. 12), 274.

lĕšakkēn šĕmô šām in the Bible and the ANE

Building on the work of many who had gone before,[16] I first isolated *lĕšakkēn šĕmô šām* within its particular biblical occurrences.[17] In that process I determined that biblical Hebrew (BH) *škn* has a variable semantic field and therefore offered an extensive lexicographic investigation articulating the diachronic phonological development of the verb *škn* in Eastern and Western Semitic.[18] The particular occurrences of *škn* in Eastern Semitic indicated that the biblical idiom had "vocables in distinct but coeval languages whose phonetic and lexical similarity was too great to be coincidental."[19] In other words, the evidence suggested that *lĕšakkēn šĕmô šām* was not native to BH but had been borrowed from Akkadian (Akk.). I proceeded to define several viable language-contact situations, tracked the *ad hoc* progress of the semantic continuity of *škn* and the idiom as a whole, and demonstrated beyond reasonable dispute that Deuteronomy's *lĕšakkēn šĕmô šām* is indeed a loan-adaptation of the common Akk. idiom *šuma šakānu* and should be translated, with that Akk. idiom, "to place his name."[20] Thus, this biblical phrase that at first blush seemed to support Oskar Grether's idea of a hypostatized deity in Deuteronomy's central cult site – "the place in which YHWH your God will choose to cause his Name to *dwell*" – became instead "the place in which YHWH your God will choose to *place* his name." And the previously enigmatic BH *lĕšakkēn šĕmô šām* was transformed into an obvious synonym of its reflex in

[16] B. JACOB, *In Namen Gottes: Eine sprachliche und religionsgeschichtliche Untersuchung zum Alten und Neuen Testament* (Berlin: S. Calvary & Co., l903); R. DE VAUX, "Le lieu que Yahvé a choisi pour y établir son nom," in *Das ferne und nahe Wort: Festschrift L. Rost* (ed. F. Mass; Berlin: A. Töpelmann, l967), 219–228; MCBRIDE, "Deuteronomic Name Theology" (see n. 3); F.M. CROSS, *Canaanite Myth and Hebrew Epic* (Cambridge: Harvard University Press, 1973), 245–247.

[17] RICHTER, *Deuteronomistic History* (see n. 1), 41–95.

[18] RICHTER, *Deuteronomistic History* (see n. 1), 96–118.

[19] P. MANKOWSKI, *Akkadian Loanwords in Biblical Hebrew* (HSS 47; Winona Lake, Ind.: Eisenbrauns, 2000), 4.

[20] MANKOWSKI, *Akkadian Loanwords* (see n. 19), 7. Mankowski states that "loanwords are in no sense 'borrowed' from the donor language as intact entities but are new creations within the receptor language." These "new creations" that result from borrowing are the result of native speakers reproducing a linguistic form from a foreign language by "imitating it phonetically." As demonstrated by Ezek 16:20, this sort of imitation quickly renders the borrowed form unintelligible to the uninitiated (*Akkadian Loanwords*, 4; cf. S. LIEBERMAN, *The Sumerian Loanwords in Old-Babylonian Akkadian, Vol. 1*: *Prolegomena and Evidence* [HSS 22; Missoula, Mont.: Scholars Press, 1977], 21).

the rest of Deuteronomy and the DH, *lāśûm šĕmô šām*, which of course also means "to place his name."[21]

I then proceeded to isolate the particular occurrences of Akk. *šuma šakānu*. Its frequent use within the monumental corpus as well as correspondence and hero literature demonstrated that the idiom was broadly known and had become formulaic within the typology of the Mesopotamian royal monumental tradition. Moreover, I found that from its first appearance in the late third millennium, and into the Neo-Babylonian era, Akk. *šuma šakānu* was consistently utilized in the same cultural context – the royal act of making inscriptions and installing monuments. The evidence indicated that from the earliest stages of the monumental tradition, to "place one's name" was to inscribe one's name upon a monument (i.e. a statue, stela, or dedicated item),[22] and the most essential connotation of that act was to claim the monument or the place of installation as one's own.[23] Of particular interest was that the vast majority of occurrences of Akk. *šuma šakānu* appear in association with the installation of *display* monuments, most specifically the votive and victory monuments of the Old Akkadian and Assyrian monarchs.[24]

Further inquiry into the Levantine corpus illustrated that Deuteronomy's *lāśûm šĕmô šām* (which has been read for centuries as a synonymous reflex of

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[21] See RICHTER, *Deuteronomistic History* (see n. 1), 45–49, 199–205 for a discussion of *lāśûm šĕmô šām* and its particular occurrences in the biblical text.

[22] In the present Assyriological typologies, "monumental" and "commemorative" are essentially equivalent categories. Any item bearing a "monumental inscription" may be referred to as a "monument"; therefore the title includes stelae, statues, and dedicated objects as well as less-obvious items such as pivot-stones, wall-*sikkātu*, stamped bricks, and foundation deposits. The former were typically produced from precious materials, inscribed only once on a single monument, and displayed in a public, royal or cultic setting. Hence my categorization as "display monuments." The latter include building inscriptions found on stamped bricks, pivot-stones, foundation deposits, and clay nails. These monuments may be distinguished from display monuments in that they were typically mass reproduced, of common materials, and each bore the same inscription. Moreover, foundation deposits, clay nails, and often stamped bricks were concealed from view once installed; hence my category of "nondisplay monuments" (see W.W. HALLO, "The Royal Inscriptions of Ur: A Typology," *HUCA* 33 [1962], 8, and RICHTER, *Deuteronomistic History* [see n. 1], 130–153).

[23] HALLO, "Royal Inscriptions of Ur" (see n. 22), 6.

[24] RICHTER, *Deuteronomistic History* (see n. 1), 127–184. Note as well the discussion of *šuma šaṭra šakānu* (184–199). In contrast to McBride, I found that the distribution of *šuma šakānu* was such that it might be distinguished from its close relative *šuma šaṭra šakānu*, which is translated "to place my written name." Not only is *šuma šaṭra šakānu* clearly not the idiom borrowed by Deuteronomy, it is employed primarily in relationship to concealed building inscriptions – foundation deposits and clay nails/cones – not display monuments (MCBRIDE, "Deuteronomic Name Theology" [see n. 3]; cf. RICHTER, *Deuteronomistic History* [see n. 1], 184–188).

lĕšakkēn šĕmô šām) shares the same semantic range as Akk. *šuma šakānu*.[25] The bilingual, ninth-century Tell Fakhariyeh inscription confirmed the relationship, demonstrating without question that the Akkadian monumental literary typology involving *šuma šakānu* had found its way into the first-millennium Levantine monumental tradition by way of a Northwest Semitic (NWS) calque of the same, NWS *šm šîm* "to place (the) name."[26]

When coupled with several viable written, oral, and visual language-contact situations in the Late Bronze and Iron periods, this linguistic data makes it clear that the writers of Deuteronomy and the DH were well aware that their descriptor of "the chosen place" – be it *lĕšakkēn šĕmô šām* or *lāśûm šĕmô šām* – had nothing to do with hypostatized deities and everything to do with the kingly act of installing an inscription.[27] Hence, I proposed that the use of

[25] Cf. RICHTER, *Deuteronomistic History* (see n. 1), 44–47, 199–203; cf. *DNWSI*, s.v. "*sûym*" (3.1126–1128).

[26] See RICHTER, *Deuteronomistic History* (see n. 1), 199–205, for the Levantine inscriptions and their use of the name formulae. In linguistics a calque or "loan translation" is a word or phrase borrowed from another language by literal, word-for-word or root-for-root translation. It is the bilingual nature of the Hadad-Yith'i inscription that makes it so significant to the study. Its two occurrences of Akk. *šuma šakānu* are translated into Old Aramaic as *wšmym lšm* (Akk. *šumīma liškun*) and *wyšym šmh* (Akk. *u šumšu išakkanu*), providing a preexilic, NWS calque for the Akkadian phrase in a monumental context (D.M. GROPP and T.J. LEWIS, "Notes on Some Problems in the Aramaic Text of the Hadd-Yith'i Bilingual," *BASOR* 259 [1985], 46, lines 10–12, 16–17). Cf. J.A. FITZMYER, "The Aramaic Language and the Study of the New Testament," *JBL* 99 (1980), 5–21; A.A. ASSAF *et al*., *La statue de Tell Fekherye et son inscription bilingue assyro-araméenne* (Éditions recherche sur les civilisations; Paris: Anatole de la Forge, 1982); S.A. KAUFMAN, "Reflections on the Assyrian-Aramaic Bilingual from Tell Fakhariyeh," *Maarav* 3/2 (1982), 137–175.

[27] As P. MACHINIST has summarized, Israel learned of Mesopotamian language and culture in a multifaceted fashion. The evidence indicates that this knowledge was mediated through other languages (e.g., Aramaic), oral and visual communications, and much may have remained from periods prior to Israelite settlement ("Akkadian in the First Millennium BC: The View from Israel and Other Western Outposts" [paper presented at the annual meeting of the SBL, New Orleans, La., November 23, 2009]). As I detailed in *Deuteronomistic History*, the Levant had multiple sources of exposure to the Akkadian idiom, not the least being the victory stelae of the Amanus Mountains (160–170); the broad dispersion of the Gilgamesh Epic (e.g. the Middle Babylonian Megiddo tablet, Late Bronze fragments from Bogazköy, and similar fragments from Ugarit), the Amarna correspondence (174–79), and Neo-Assyrian political language. Of the growing bibliography on scribal culture in Israel, Susan Niditch's theories regarding the orality–literacy continuum are probably most helpful for understanding the role of *lĕšakkēn šĕmô šām* in the ears of its audience. She describes a process by which certain formulae associated with particular settings develop in the "oral registry" of a people and are then transferred to the written word. These linguistic formulae functioned in part to establish a context or expectation through listener familiarity, and then moved into the written world by means of literary imitation to incite the same expectations in the reader (S.

lĕšakkēn šĕmô šām and *lāśûm šĕmô šām* in Deuteronomy and the DH were intended to emphasize YHWH's sovereignty over his new land by right of conquest. Like the great kings and heroes who had gone before, YHWH was "placing his name" in the promised land. Here I found reversal and royal rhetoric, but no hint of a "Deuteronomistic correction."

Deuteronomy's Chosen Place

The conclusions drawn in *The Deuteronomistic History and the Name Theology* led to a second question and a second study.[28] How did this new translation and interpretation of *lĕšakkēn šĕmô šām* speak to the age-old question of the identity of Deuteronomy's chosen place? As my previous research indicated that "the place" should be associated in some manner with an inscribed monument, I set out to examine Deuteronomy with that association in mind. As a result, in addition to the nine occurrences of "placing the name" in Deuteronomy's centralizing formula, I identified three strategic pericopes that speak of the installed inscription of a deity: Deut 11:29–32; Deut 12:1–4; and Deut 27:1–8. Of these, Deut 12:1–4 proved particularly significant:

> [2]You shall utterly destroy all the places where the nations whom you shall dispossess serve their gods, on the high mountains and on the hills and under every green tree. [3]You shall tear down their altars, you shall smash their *maṣṣēbôt*, you shall burn their Asherim with fire, you shall cut down the images of their gods, and you shall remove (*'ibbadtem*)[29] their name from that place.

Here Israel is commanded to do exactly what the closing curses of the Mesopotamian monumental inscriptions forbid – remove the names of the previous overlords from the monuments of their sacred sites. It is important to note that in the Mesopotamian monumental corpus this injunction *not* to remove the name is typically communicated by means of the *šuma šakānu* idiom: "I have placed my name. As for the one who removes my name and places his own name there instead, may the gods tear out his foundations and destroy his progeny [conflation]."[30]

NIDITCH, *Oral World and Written Word: Ancient Israelite Literature* [Library of Ancient Israel; Louisville: John Knox, 1996], 130).

[28] S.L. RICHTER, "The Place of the Name in Deuteronomy," *VT* 57 (2007), 342–366.

[29] *Piel* 2mp of אבד; note *HALOT* "אבד + מִן" in *qal*, meaning 5: "to be carried off from" (s.v. "אבד" [*HALOT* 1.2]). *HALOT* lists no factitive equivalent to this meaning under the *piel*, but it should. To "cause to be carried off from" communicates the idea of "to efface" quite effectively.

[30] The texts tell us that the practice of finding and preserving the inscription of a former king was considered a sacred trust, and the curses protecting that trust were substantial. For

When the command of Deut 12:3 is juxtaposed with the declarations of Deut 12:5, 11, 21; 14:23, 24; 16:2, 6, 11; 26:2, that Israel is to worship at the place in which YHWH would inscribe *his* name, the logic of this introduction to the old legal core becomes clear. Once the names of the Canaanite deities are effaced, the name of the new overlord, YHWH, is to be inscribed. In the realm of human politics such an action would announce that the memory of the previous ruler was being erased from the public mind and a new king was replacing him. I believe Deut 12 has the same intent. The gods of Canaan are about to be evicted and forgotten; YHWH is moving in.

Deuteronomy 11 and 27 expand this theme of YHWH's inscribed monument by identifying where and when the inscription is to be installed. In Deut 27 we read:

> [1]Then Moses and the elders of Israel charged the people, saying: "Keep all the commandments which I am commanding you today [2]so that in the day you cross the Jordan to the land that YHWH your God is giving you, you will erect for yourselves large stones,[31] and you shall plaster them with lime. [3]And you will write upon them all the words of this Torah.[32] […] [4]And when you cross the Jordan you will erect these stones that I am commanding you today in Mount Ebal [variant reading: "Mt. Gerizim"[33]] and you will plaster them with lime.

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example: "As for the one who removes the name of Naram-Sin and places his own name (MU-*śu i-śa-kà-nu-ma*) on the statue of Naram-Sin, the mighty, and says: 'My statue,' or shows (it) to a foreigner and says: 'Erase his name and place my name (on it),' may the god Sin […] curse him with a terrible curse" (RIME 2.101–102, Naram-Sîn, E2.1.4.5, col. i′:4′–iii′:8); cf. RICHTER, *Deuteronomistic History* [see n. 1], 143–144, 153–156, 185–186, 192, etc.; cf. IDEM, "Place of the Name" [see n. 28], 345–346).

[31] For those familiar with Canaanite religion and the vocabulary of the NWS dialects, the word expected here is *maṣṣēbôt*. But as Deut's standing stones are dictated as an orthodox expression of Israelite religion, I have suggested that the Deuteronomist is consciously distinguishing them from those forbidden in Deut 16:22 by using "large stones" instead of *maṣṣēbôt* (RICHTER, "Place of the Name" [see n. 28], 347 n. 11).

[32] The phrase "the words of this law"/"this law" occurs in Deut 1:5; 17:18, 19; 27:3, 8, 26; 28:58, 61; 29:29; 31:9, 11, 12, 24; 32:46. It is a frequent self-reference to the contents of the larger book in the first and final chapters and in the law of the king.

[33] SamP's ideological differences regarding Deut's chosen place are discussed in E. TOV, *Textual Criticism of the Hebrew Bible* (Minneapolis: Fortress, 1992), 82–83, 94–95, 266 n. 37. Summarizing Tov's argument regarding Deut 27:4, R.D. Nelson states: "The Samaritan tradition substitutes 'Gerizim.' Samaritan texts show strong sectarian tendencies, while such influences in MT are minimal. Thus, it is unlikely that 'Ebal' is an anti-Samaritan reading as suggested by *BHS*" (R.D. NELSON, *Deuteronomy* [OTL; Louisville: John Knox, 2002], 314 n. e). G.N. KNOPPERS contests this view, claiming that Mt. Gerizim may well be the original reading ("Mt. Gerizim and Mt. Zion," *SR* 34 [2005], 309–338). J. CHARLESWORTH supports Knoppers in his discussion of the new DSS fragment of Deut 27:3b ("What Is a Variant? Announcing a Dead Sea Scrolls Fragment of Deuteronomy," *Maarav* 16/2 [2009], 201–212).

Thus, whereas Deut 12 opens the old law code with the command to efface the inscriptions of the Canaanite deities from their cult sites, and nine times in this same corpus the central sanctuary is identified as that special locale in which YHWH's inscription will be found, Deut 11:29–32 and 27:1–8 introduce and conclude the law code by informing us how, when, and where YHWH's inscribed monument is to be installed. Although traditio-historical, geographical, and historical hurdles remain,[34] it is clear that the thematic and narrative indicators of Deuteronomy direct the reader of Deuteronomy to Mt. Ebal,[35] Deuteronomy's first "place of the name."

The Conversation Continues

A gratifying level of interaction has greeted the research reviewed above. As introduced, the responses fall into two categories: (1) those interested in incorporating the socio-linguistic data into existing and evolving historical paradigms, and (2) those responding to the critique of the Name Theology.

Representative of the first is John Van Seters's 2004 article, "The Formula *leshakken shemo sham* and the Centralization of Worship in Deuteronomy and DH."[36] Having reviewed *The Deuteronomistic History and the Name Theology* in 2003, Van Seters embraced the linguistic aspect of the study as well as much of the critique of the traditional Name Theology. But as the title of his article suggests, Van Seters concludes that the inscription "placed" must be either Josiah's law book or the ark that was designed to house the tablets recording Deuteronomy.[37] Whereas I leave the idiom's historical point of entry into the biblical text open – this due to the ancient and formulaic character of the Akkadian idiom, the equally ancient and highly conservative nature of the Mesopotamian monumental tradition, and the number of viable language-contact situations between the Akkadian idiom and Israel (see n. 27) – Van Seters claims with certainty that the name formulae were borrowed from the Neo-Assyrian Empire in the seventh century. As Van Seters believes the idiom must refer to Josiah's law book, "[i]t cannot be an idiom that was taken over from its foreign source prior to the centralization of worship under Josiah."[38] To my surprise, although Van Seters utilizes all of the linguistic data in my monograph, he is actually quite critical of the book, accusing me of

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[34] See RICHTER, "Place of the Name" (see n. 28), 351–361.

[35] Or if the variant reading proves to be original, Mt. Gerizim. See n. 33.

[36] J. VAN SETERS, "The Formula *leshakken shemo sham* and the Centralization of Worship in Deuteronomy and DH," *JNSL* 30/2 (2004), 1–18.

[37] VAN SETERS, "Formula" (see n. 36), 11, 12–23.

[38] VAN SETERS, "Formula" (see n. 36), 8.

applying a "vague and metaphorical" meaning "rarely" found in the Akkadian texts to the Deuteronomic idiom. What Van Seters finds "vague" and "metaphorical" about reading the biblical idiom as its cognates demand, "to inscribe one's name on a monument," I cannot imagine; and certainly my extensive study of the particular occurrences of Akk. *šuma šakānu* shows this meaning to be anything but rare. But his misrepresentation of my conclusions seems to arise from his need to associate Deuteronomy's inscribed name specifically with Josiah's law book. Perhaps Van Seters is associating the *sēper* of 2 Kgs 22 with the "placing" of foundation deposits, which sometimes included inscribed tablets. The fact that these documents were specifically concealed in the foundations of the building, to be recovered only when the building was demolished in preparation for repair, would indeed make a very nice parallel with Josiah's discovery of the "Book of the Law" and is a connection that has been pursued in the past. But as I demonstrate in the monograph, the installation of foundation deposits and clay-nails was typically not associated with Akk. *šuma šakānu* but with *šuma šaṭra šakānu*.[39] It is display monuments that are regularly associated with Akk. *šuma šakānu*. Moreover, Josiah's *sēper* is best identified as an archived document. Hence, the central problem here is that Van Seters fails to note the distinctions between a display monument, a non-display monument, an archived document, and the literary typologies associated with each.[40]

William Morrow has also furthered the conversation. His thesis involves the phenomenon of "hybridity" described in postcolonial studies. His essential point is that *lĕšakkēn šĕmô šām* has to do with royal rhetoric and the reframing of the suzerainty question in Israel's experience. Morrow defines hybridity as the use of "dominant narratives and texts other than they were 'originally' intended, [such that] the native subject is able to reverse or challenge the process of domination."[41] With this essential point I fully concur and, of course, make the same point in the monograph.[42] But Morrow narrows his argument by postulating that this royal rhetoric must emerge from the ninth to the seventh centuries B.C.E., as he believes that *lĕšakkēn šĕmô šām* was coined

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[39] Cf. n. 26 and RICHTER, *Deuteronomistic History* (see n. 1), 184–199.

[40] One possible example of an archived document making use of the *šuma šakānu* idiom could be Gudea's book of dedicated songs: "he who removes my name from the collection of songs (belonging to) me and then puts there his (own) name […]" (RIME 3/1, 37, Gudea, 1.1.7StB, viii:21–23; cf. F.R. KRAUS, "Altmesopotamisches Lebensgefühl," *JNES* 19 [1960], 128). Yet even this reference to what appears to be an archived document is actually inscribed upon a display monument. Cf. the building inscriptions of the Isin-Larsa/Old Babylonian period listed in RICHTER, *Deuteronomistic History*, 170–174.

[41] W.S. MORROW, "Resistance and Hybridity in Late Bronze Age Canaan," *RB* 115 (2008), 335.

[42] RICHTER, *Deuteronomistic History* (see n. 1), 205.

as a neologism in order to subvert Neo-Assyrian hegemony. And as Neo-Assyrian hegemony did not exist in Late Bronze Canaan, it could not have served as the catalyst for Israel's polemical rejection of the same in that era.[43] He then hypothesizes that the Deuteronomist abandoned this neologism and returned to what Morrow sees as the native BH idiom *lāśûm šĕmô šām* when the Neo-Assyrian reference was no longer considered important in Josiah's postcolonial government. [44]

Morrow's application of postcolonial concepts and terminology clearly refines and sharpens the discussion. But his linguistic reconstructions (and therefore his path of borrowing) are problematic on several fronts. The first issue is his brief review of the particular occurrences of Akk. *šuma šakānu*. Here Morrow blends a variety of name and naming practices and idioms in a somewhat haphazard fashion, clearly reminiscent of the "illegitimate totality transfer" methodology of past studies.[45] The second and more significant issue is Morrow's argument that West Semitic *lśm šm* (BH *lāśûm šĕmô šām*) cannot be understood as a calque of the Akkadian phrase, but is an independent linguistic development native to BH. As I demonstrate at great length in *The Deuteronomistic History and the Name Theology*, the Akk. idiom *šuma šakānu* may be tracked from the third millennium into the first, from Sumer to Akkad, Babylonia to Assyria, Mari to the Amanus range, and even into Late Bronze correspondence between the Levant and Egypt.[46] These contact situations are written, visual, and oral in nature (see n. 27), demonstrating that the idiom migrated from monumental typology into literary works, correspondence, and beyond. Moreover, as Stephen Kaufman would argue, this particular idiom is a prime candidate for language transfer ("even without direct contact at all between the groups speaking those languages"[47]) in that it is utilized as technical language in political exchange. As we know that the modes of expression in the Mesopotamian royal monumental typology were enormously conservative, with visual and written forms remaining nearly static for millennia,[48] and in contrast, Israel's monumental tradition is vastly underdeveloped, it is highly unlikely that a semantic equivalent of the Mesopotamian idiom, communicating the exact same cultural complex, would spring fully formed from BH in an era coeval with its active use throughout the Akkadian-

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[43] W.S. MORROW, "'To Set the Name' in the Deuteronomic Centralization Formula: A Case of Cultural Hybridity," *JSS* 60 (2010), 365–383.

[44] MORROW, "'To Set the Name' in the Deuteronomic Centralization Formula" (see n. 43), 383.

[45] RICHTER, *Deuteronomistic History* (see n. 1), 24–39.

[46] RICHTER, *Deuteronomistic History* (see n. 1), 127–206.

[47] S.A. KAUFMAN, *The Akkadian Influences on Aramaic* (AS 19; Chicago: University of Chicago Press, 1974), 16.

[48] RICHTER, *Deuteronomistic History* (see n. 1), 131–135.

speaking world. Moreover, my research regarding the bilingual Tell Fakhariyeh inscription makes it clear that the Mesopotamian monumental complex (both in practice and in language) was broadly known and had already been translated into NWS at least as early as the ninth century.[49] Hence, Morrow's assertion that BH *lāśûm šĕmô šām* is an independent linguistic development native to BH is simply untenable.

Morrow's redactional scheme is also quite problematic. He concludes that the Jerusalem scribes first utilized what he identifies as their native BH *lāśûm šĕmô šām* in Deuteronomy and the DH, switched to *lĕšakkēn šĕmô šām* in Deuteronomy as an act of Neo-Assyrian subversion, and then switched back to *lāśûm šĕmô šām* in Josiah's postcolonial government. Although the textual evidence leaves room for *lāśûm šĕmô šām* to predate *lĕšakkēn šĕmô šām* in Deuteronomy,[50] and the language-contact situation is varied enough that it is certainly possible that the first introduction of *lĕšakkēn šĕmô šām* to the biblical text was during the Neo-Assyrian period, the problem is that BH *lĕšakkēn šĕmô šām* does not disappear with the Neo-Assyrian Empire. Rather, the idiom continues to have a high profile in Jeremiah's temple sermon, and it recurs in Ezra and in Nehemiah.[51] Moreover, the Mesopotamian use of the Akkadian idiom does not disappear with the Neo-Assyrian Empire either. Rather, Akk. *šuma šakānu* continues to be utilized by the Neo-Babylonians, who continue to subjugate Judah after Josiah. Thus, if the motivation for the shift of terminology in Deuteronomy and the DH is the postcolonial nature of Josiah's government and beyond, we should wonder what the idiom is doing in Jeremiah's sermon, in Ezra, and in Nehemiah. And as the Babylonians use the Akkadian idiom as well, one must equally ask, can we confidently conclude from which foreign government Judah is distinguishing itself? More significant is that Deuteronomy itself answers the question of whom it is resisting with its royal rhetoric and reversal. And the answer is the Canaanites (cf. Deut 12:1–5).[52]

The second category of response to *The Deuteronomistic History and the Name Theology* has involved my critique of the Name Theology. Although most have welcomed one or more aspects of the critique, Eckart Otto's 2007 essay is representative of those who have not, and here it seems the conflict is methodological.[53] Whereas my goal was to investigate the name formulae by means of philology and comparative linguistics and to reassess the Name

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[49] See n. 26.

[50] See RICHTER, *Deuteronomistic History* (see n. 1), 53–63.

[51] Cf. RICHTER, *Deuteronomistic History* (see n. 1), 90–95; cf. figs. 2, 3.

[52] Cf. RICHTER, "Place of the Name" (see n. 28).

[53] E. OTTO, "Altorientalische Kontexte der deuteronomischen Namenstheologie," *ZAR* 13 (2007), 237–248.

Theology based on that data, Professor Otto sees no way to address the particular occurrences of the idiom without a pre-established redactional paradigm for Deuteronomy and the DH. As a result, he interprets my treatment of the philological data as "dodging" the literary-historical relationship of the long and short forms of the centralization formula, lifting these formulae from their "respective, form-critically determined contexts" and "abdicating any worked out literary-critical analysis of Deuteronomy."[54] This methodological conflict is one I am afraid I cannot resolve. In this case, I do believe that the redactional models must respond to the philological data and not the reverse. But let me say a word here as to the redactional paradigm I chose for the final construal of the data and why.

My method was to operate heuristically from the double-redaction model of the DH.[55] Granted, I am a Harvard product and therefore inclined toward the paradigms of my mentors, but more importantly, I find the double-redaction model an agile and historically viable framework within which to operate. Frank Moore Cross would never have argued that he had resolved the source of every contribution to the DH by means of his model. I would not argue that either. But because of the modesty of its redactional claims, the double-redaction theory is flexible enough to embrace and incorporate new data. What I have offered regarding the name formulae in the DH is new, it changes the landscape. Exactly how the landscape will change remains to be seen. But when all is done, it is the data that must drive the paradigm, not the reverse.

In the end, Eckart Otto bypasses the corrected translation of *lĕšakkēn šĕmô šām* and returns to a Name Theology somewhat nuanced by Karen Radner's work, reaffirming that "in both ANE and Hebrew thought the name and name-bearer are identical, so that the final fixation of the centralization formula is to be interpreted as confirmation of the enduring presence of YHWH in the elect place."[56]

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[54] OTTO, "Altorientalische Kontexte" (see n. 53), 240, 242–243.

[55] RICHTER, *Deuteronomistic History* (see n. 1), 1–6.

[56] OTTO, "Altorientalische Kontexte" (see n. 53), 244; cf. K. RADNER, *Die Macht des Namens: Altorientalische Strategien zur Selbsterhaltung* (SANTAG 8; Wiesbaden: Harrassowitz, 2005). See as well T.N.D. METTINGER, review of S.L. Richter, *The Deuteronomistic History and the Name Theology, JBL* 122 (2003), 753–755, in which he argues that in spite of the retranslated Deuteronomic formula the word "name" can still operate "as a semantically loaded unit"; and V.A. HUROWITZ, review of S.L. Richter, *The Deuteronomistic History and the Name Theology, JHS* 5 (2004–2005), n.p. [cited 30 March 2011]. Online: http://www.arts.ualberta.ca/JHS/reviews/review157.htm, in which he expresses his concern that my retranslation of Deuteronomy's idiom not leave a temple stripped of YHWH's presence.

Conclusions

So where do we go from here? Truly the Deuteronomic name formula touches upon some of the most important issues in the study of the Hebrew Bible – not the least of which are the nature of divine presence in Israelite religion and the redactional background of Israel's national history. As Jon Levenson has stated, the theological study of the Hebrew Bible is a highly conservative business in which "old habits of mind remain intact, either by ignoring the new data or awkwardly fitting them into the inherited structures."[57] As is obvious, the Name Theology echoes and confirms the central tenets of Wellhausen's "inherited structure" by means of its proposed evolutionary relationship between the theologies of divine presence evident in J, E, D, and P. And although many nuances have been introduced to the Name Theology since the days of von Rad's influential synopsis,[58] the end result is the same: a clearly circumscribed evolution of the perception of divine presence at the cult site that may be tracked along a three-tiered developmental scheme, fueled by a "Deuteronomistic correction" of the theology of JE or in some reconstructions P. My research, however, severs a critical link in that chain in that it denies the existence of a "Deuteronomistic correction" and thereby undermines the second stage of the proposed trajectory. As a result, long accepted relationships between JE, D, and P as regards the theology of divine presence, and between D and the DH (in particular the name formulae of Deut, 2 Sam 7, and 1 Kgs 8) must be reconsidered.

And what of the broader relationship of D's name formulae to the DH? The topic is important, and so is a continuing conversation that persists in asking the hard questions. Who included the parlance of royal monumental typology in Deuteronomy and the DH, why, and when? And how must we reinterpret the identity and nature of Deuteronomy's central sanctuary in light of the book's focus on the installation of YHWH's inscribed monument? It is my hope that this conversation will not be abandoned until we have allowed the new data to truly reshape our inherited structures, such that we might better understand Israel's perception of their God and the record of their faith that they have left behind.

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[57] J.D. LEVENSON, *Sinai and Zion: An Entry into the Jewish Bible* (San Francisco: Harper San Francisco, 1985), 3.

[58] See in particular METTINGER's theory that reverses the order of D and P, sees a distinction between Ezekiel's theology and that of P's *kābôd* theology, and introduces a fifth stage in which the JE Zion-Sabaoth Theology is reintroduced in the Second Temple period (*Dethronement of Sabaoth* [see n. 4], 46–47); cf. RICHTER, *Deuteronomistic History* (see n. 1), 7–36.

The Literary Relationship between Deuteronomy and Joshua

A Reassessment

Christophe Nihan

1. Introduction: Interpreting the Relationship between Deuteronomy and Joshua

The book of Deuteronomy stands at the end of the "Law" (Torah) section of the Hebrew Bible. Nonetheless, that book also evinces several connections with the following books, which compose the "Prophets" (Nebi'im) section of the same Bible. For a long time, this observation was accounted for by the hypothesis of a "Deuteronomistic History" extending from Deuteronomy to Kings, from which Deuteronomy would later have been separated to become part of the Torah.[1] Today, that hypothesis is no longer unanimously accepted, and we need to consider other possible explanations for the relationship between Deuteronomy and the other books in Genesis–Numbers and Joshua–Kings.[2]

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[1] M. NOTH, *The Deuteronomistic History* (JSOTSup 15; Sheffield: JSOT Press, 1981); trans. of *Überlieferungsgeschichtliche Studien I* (SKG.G 2; Halle: Niemeyer, 1943). For a comprehensive survey of the various scholars who adopted this model during the second half of the twentieth century – often in a revised form postulating multiple editions – compare, e.g., T. RÖMER and A. DE PURY, "Deuteronomistic Historiography (DH): History of Research and Debated Issues," in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research* (ed. A. de Pury *et al*.; JSOTSup 306; Sheffield: Sheffield Academic Press, 2000), 24–141; trans. of "L'historiographie deutéronomiste (HD): Histoire de la recherche et enjeux du débat," in *Israël construit son histoire: L'historiographie deutéronomiste à la lumière des recherches récentes* (ed. A. de Pury *et al*.; MdB 34; Geneva: Labor et Fides, 1996), 9–120.

[2] Although Noth's theory of a "Deuteronomistic History" was very quickly criticized by some scholars, such critiques tended to remain marginal. It was not until the 1990s that this model was subjected to a comprehensive discussion, with several scholars rejecting it in favor of other, alternative models such as, especially, the return to the former concept of a pre-Priestly "Hexateuch" in Gen–Josh* or Exod–Josh*. It is neither possible nor necessary to review here the abundant literature on this topic. For a comprehensive discussion of the main

In this paper, I would like to address this general issue by discussing more specifically the case of the literary connections between Deuteronomy and Joshua. More than to any other book of the Torah, the book of Joshua is related to Deuteronomy through a sophisticated set of cross-references, to the point that one may legitimately speak of something like a "privileged" connection between those two books. Most of the major themes of the book – such as the conquest of the land or the role of Joshua – are already found in Deuteronomy;[3] conversely, several key episodes in Joshua are prepared for in the last book of the Torah.[4] Even at the level of the terminology used, the close relationship between those two books can be observed.[5]

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arguments fostered against Noth's thesis, one may refer to the essay by C. FREVEL, "Deuteronomistisches Geschichtswerk oder Geschichtswerke? Die These Martin Noths zwischen Tetrateuch, Hexateuch und Enneateuch," in *Martin Noth: Aus der Sicht der heutigen Forschung; Mit Beiträgen von Christian Frevel, Werner H. Schmidt, Horst Seebass und Rudolf Smend* (ed. U. Rütersworden; BTSt 58; Neukirchen-Vluyn: Neukirchener, 2004), 60–95. See also the various essays collected in M. WITTE *et al*. (eds.), *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur "Deuteronomismus"-Diskussion in Tora und Vorderen Propheten* (BZAW 365; Berlin: de Gruyter, 2006). For earlier critiques of Noth's theory, compare, e.g., the seminal essay by E.A. KNAUF, "Does 'Deuteronomistic Historiography' (DtrH) Exist?" in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research* (ed. A. de Pury *et al*.; JSOTSup 306; Sheffield: Sheffield Academic Press, 2000), 388–398; trans. of "L''Historiographie Deutéronomiste' (DtrG) existe-t-elle?" in *Israël construit son histoire: L'historiographie deutéronomiste à la lumière des recherches récentes* (ed. A. de Pury *et al*.; MdB 34; Geneva: Labor et Fides, 1996), 409–418. Concerning the theory of a pre-Priestly "Hexateuch" in Exod–Josh*, see further the discussion below (sec. 4).

[3] For a detailed study of this issue, see G.J. WENHAM, "The Deuteronomic Theology of the Book of Joshua," *JBL* 90 (1971), 140–148. Wenham points out five major themes shared by Deut and Josh, namely: the conquest as "sacred" or "holy" war, the distribution of the land, the unity of all Israel, Joshua as successor of Moses, and the centrality of the covenant. Furthermore, he observes that all five themes were already introduced in the *first* chapter of Josh ("Deuteronomic Theology," 140–141).

[4] Cf., e.g., the story of the building of an altar on Mount Ebal in Josh 8:30–35 MT = 9:2a–f LXX (compare with Deut 27:4–8) or the installation of the east Jordan tribes in Josh 22:1–6 (compare with Deut 3:16–20). For a general survey of Josh 8:30–35 MT and 9:2a–f LXX, and of the additional evidence offered by two Qumran fragments, 4QJoshua frgs. 1–2, see my discussion in C. NIHAN, "The Torah between Samaria and Judah: Shechem and Gerizim in Deuteronomy and Joshua," in *The Pentateuch as Torah: New Models for Understanding Its Promulgation and Acceptance* (ed. G. Knoppers and B.M. Levinson; Winona Lake, Ind.: Eisenbrauns, 2007), 187–223, here 217–222. For a brief discussion of Josh 22:1–6 in relation to Deut 3:16–20, see further below, sec. 2.

[5] E.g., the combination of the terms זקנים ("elders"), שטרים ("officials, functionaries"), and אזנים ("witnesses") to describe "Israel" is exclusively found in Deut and Josh: cf. Deut 29:9; 31:28; Josh 8:33 (MT); 23:2; 24:1. For this observation, see G. SCHMITT, *Du sollst keinen Frieden schließen mit den Bewöhnern des Landes: Die Weisungen gegen die Kanaanäer in Israels Geschichte und Geschichtsschreibung* (BWANT 91; Stuttgart: Kohlhammer, 1974),

That there is something like a "privileged" connection between Deuteronomy and Joshua is anything but a new observation. To some extent, it goes back to the very beginnings of the source- and redaction-critical approach to the Hebrew Bible.[6] *How* this observation is to be explained from a redaction-critical perspective remains, however, very much disputed. Especially debated is the question of whether the close connection between Deuteronomy and Joshua points to the existence of a distinct redaction in those two books, or even to the possibility that Deuteronomy and Joshua once formed a discrete literary work. Although this hypothesis was put forward by a number of scholars,[7] it has been elaborated in detail in the work of N. Lohfink, who argued that there existed a Deuteronomistic account of the conquest, a *Landeroberungserzählung*, or "DtrL," extending from Deut 1 to Josh 21–22.[8] Loh-

144 n. 27; K. BIEBERSTEIN, *Josua – Jordan – Jericho: Archäologie, Geschichte und Theologie der Landnahmeerzählungen Josua 1–6* (OBO 143; Freiburg: Universitätsverlag; Göttingen: Vandenhoeck & Ruprecht, 1995), 386. Similarly, Bieberstein (*Josua*, 84–85) observes that, within the MT of the Hebrew Bible, the title עבד יהוה, "servant of YHWH," was mostly found in the narrative section extending from Moses's death (Deut 34) to Joshua's death (Josh 24:29–33 // Judg 2:6–10). The title is given to Moses for the first time after his death (Deut 34:5) and then fifteen more times in the book of Josh. It is given again to Joshua after the latter's death (Josh 24:29; Judg 2:8), and occurs once more in reference to Moses in 2 Kgs 18:12, although some passages in Sam and Kgs also refer to David as "my servant" (עבדי).

[6] For a brief *Forschungsbericht* during the nineteenth and twentieth centuries, see now G. BRAULIK, "Die deuteronomistische Landeroberungserzählung aus der Joschijazeit in Deuteronomium und Josua," in *Das deuteronomistische Geschichtswerk* (ed. H.-J. Stipp; ÖBS 39; Frankfurt am Main: Peter Lang, 2011), 89–150, here 91–92. Braulik mentions the fact that this connection was already well perceived by scholars such as W.M.L. de Wette in 1806, or H. Ewald in 1843.

[7] As noted by BRAULIK, "Deuteronomistische Landeroberungserzählung" (see n. 6), 91, H. Ewald had already argued that the "Deuteronomist" responsible for the composition of a Hexateuch in Gen–Josh had written the books of Deut and Josh, but had only made a few redactional additions to the Tetrateuch (Gen–Num). See H. EWALD, *Einleitung in die Geschichte des Volkes Israel* (vol. 1 of *Geschichte des Volkes Israel*; 3rd ed.; Göttingen: Dieterich, 1864 [1843]), 183. The notion of a Dtr redaction limited to Deut and Josh was also advanced by J. Hollenberg in a comprehensive article devoted to the "Deuteronomistic" portions of the book of Josh: J. HOLLENBERG, "Die deuteronomistischen Bestandtheile des Buches Josua," *TSK* 47 (1874), 462–506. The same idea resurfaced later in various studies about the relation between Deut and Josh. E.g., WENHAM, "Deuteronomic Theology" (see n. 3), 148, likewise argued that the close connection between the two books was best explained by assuming that they were "edited by the same hand or the same school."

[8] N. LOHFINK, "Kerygmata des Deuteronomistischen Geschichtswerks," in *Die Botschaft und die Boten: Festschrift für Hans-Walter Wolff zum 70. Geburtstag* (ed. J. Jeremias and L. Perlitt; Neukirchen-Vluyn: Neukirchener, 1981), 87–100, esp. 92–96. Cf. also IDEM, *Die Väter Israels im Deuteronomium: Mit einer Stellungnahme von Thomas Römer* (OBO 111; Fribourg: Éditions universitaires; Göttingen: Vandenhoeck & Ruprecht, 1991), 80–85. Lohfink's model of a "DtrL" in Deut 1–Josh 22 is based on earlier studies of the root ירש in the Hebrew

fink's model of a "DtrL" in Deuteronomy and Joshua has been adopted since by several scholars, and it may legitimately be viewed as representing the most significant attempt to account for the links between those two books in terms of redaction criticism.[9] Moreover, that model has been – and still is – instrumental for the various scholars who have sought to analyze the formation of Dtr literature in terms of the gradual joining together of originally discrete compositions (the so-called "block model" or "block theory"), such as, especially, Deuteronomy–Joshua, on one hand, and Samuel–Kings, on the other.[10]

Bible. See especially IDEM, "יָרַשׁ *jāraš*," *ThWAT* 3.953–985, esp. 970–973; IDEM, "יָרַשׁ *yāraš*," *TDOT* 3.368–396. Cf. also IDEM, "Die Bedeutungen von hebr. *jrš qal* und *hif*.," *BZ* 27 (1983), 19–33; as well as IDEM, "Textkritisches zu *jrš* im AT," in *Mélanges Dominique Barthélémy: Études bibliques offertes à l'occasion de son 60e anniversaire* (ed. P. Casetti *et al*.; OBO 38; Fribourg: Éditions universitaires; Göttingen: Vandenhoeck & Ruprecht, 1981), 273–288.

[9] Among scholars who have adopted Lohfink's model of a DtrL, see G. BRAULIK, "Zur deuteronomistischen Konzeption von Freiheit und Frieden," in *Congress Volume: Salamanca, 1983* (ed. J.A. Emerton; VTSup 36; Leiden: Brill, 1985), 29–39 = IDEM, *Studien zur Theologie des Deuteronomiums* (SBAB 2; Stuttgart: Katholisches Bibelwerk, 1988), 219–230; IDEM, "Die Völkervernichtung und die Rückkehr Israels ins Verheissungsland: Hermeneutische Bemerkungen zum Buch Deuteronomium," in *Studien zum Deuteronomium und seiner Nachgeschichte* (SBAB 33; Stuttgart: Katholisches Bibelwerk, 2001), 113–150, here 144–145, 148; A. MOENIKES, "Zur Redaktionsgeschichte des sogenannten Deuteronomistischen Geschichtswerks," *ZAW* 104 (1992), 333–348; IDEM, "Beziehungssysteme zwischen dem Deuteronomium und den Büchern Josua bis Könige," in *Das Deuteronomium* (ed. G. Braulik; ÖBS 23; Frankfurt am Main: Peter Lang, 2003), 69–85; most recently BRAULIK, "Die deuteronomistische Landeroberungserzählung" (see n. 6); E. OTTO, *Das Deuteronomium im Pentateuch und Hexateuch* (FAT 30; Tübingen: Mohr Siebeck, 2000), 75–86, 101–109, 129–155, and *passim*; C. DE VOS, *Das Los Judas: Über Entstehung und Ziele der Landbeschreibung in Josua 15* (VTSup 95; Leiden: Brill, 2003), 286, 303, and 306–307; T. RÖMER, "Das doppelte Ende des Josuabuches: Einige Anmerkungen zur aktuellen Diskussion um 'deuteronomistisches Geschichtswerk' und 'Hexateuch,'" *ZAW* 118 (2006), 523–548, esp. 534–535; IDEM, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London: T&T Clark, 2005), 42–43, 91, and *passim*; W. OSWALT, *Staatstheorie im Alten Israel: Der politische Diskurs im Pentateuch und in den Geschichtsbüchern des Alten Testaments* (Stuttgart: Kohlhammer, 2009), 96–120. It must be noted, however, that both the scope and the dating of this "DtrL" vary from one author to the other. E.g., while Lohfink and Braulik would date it to the Neo-Assyrian period, more specifically under the reign of Josiah, Otto has argued for a dating of DtrL in the Neo-Babylonian period.

[10] For this model, see especially the recent studies by RÖMER, *So-Called Deuteronomistic History* (see n. 9); OSWALT, *Staatstheorie im Alten Israel* (see n. 9); as well as W. GROSS, "Das Richterbuch zwischen deuteronomistischem Geschichtswerk und Enneateuch," in *Das deuteronomistische Geschichtswerk* (ed. H.-J. Stipp; ÖBS 39; Frankfurt am Main: Peter Lang, 2011), 177–205 (see, e.g., 201: "Als der erste Dtr das Richterbuch gestaltete, lagen ihm einerseits eine dtr Darstellung von Dtn* – Jos* und andererseits eine dtr Darstellung von 1 Sam* – 2 Kön* vor").

For this reason, the following discussion will begin with a brief reevaluation of Lohfink's hypothesis, especially as regards the possibility that Josh 21–22 once formed the conclusion of a discrete Dtr composition restricted to the books of Deuteronomy and Joshua. As we will see, a close examination of the evidence does not support this hypothesis. The association between Deuteronomy and Joshua appears much more to be the result of a gradual process that took place within a broader literary horizon and in the course of which Joshua came to be increasingly aligned with Deuteronomy.

2. Joshua 21–22 and the "DtrL" Hypothesis

Lohfink's theory of a Dtr *Landeroberungserzählung* was largely based upon the observation that the account of the conquest in Deuteronomy and Joshua was characterized by a distinct phraseology involving a specific conception of the conquest and using a language that is not found in other books. According to this conception, the land (ארץ) was "given" (with נתן) by YHWH to Israel in order to be "taken into possession" (ירש) by them. In this conception – which, as Lohfink observed, is clearly influenced by the ancient Near Eastern ideology of royal land grants – possession of the land (expressed by the verb ירש) is made possible by the divine donation of that same land by YHWH.[11] This conception – with the corresponding phraseology – can be found in the following passages: Deut 1:8, 21, 39; 2:24, 31; 3:12, 18, 20; 10:11; Josh 1:11 (twice), 15a (18:3?); 21:43. Lohfink thus concluded that the end of DtrL was to be found in Josh 21–22, more precisely Josh 21:43–45 (summary of the conquest) and 22:1–6 (the settlement of the east Jordan tribes, which follows immediately after 21:43–45 and corresponds to the instruction in Deut 3:18–20 and Josh 1:12–18).

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[11] See LOHFINK, "Kerygmata" (see n. 8), 94: "DtrL setzt einen Schenkungs- oder Verleihungsakt Jahwes (נתן) in Korrespondenz zum ירש Israels." A little further on, Lohfink proposes to term this the "royal-legal" conception (*königsrechtliche Konzeption*) of the land in the Hebrew Bible (95). Lohfink also argues that this already implies a revision of the traditional conception of the conquest, according to which a social group could occupy a land when its (main) national deity had previously expelled the former inhabitants (cf. Judg 11:23). He concludes from this that the conception of the conquest presented in DtrL witnesses to a new concept, according to which "Jahwe wird nicht mehr als der mit anderen nationalen Göttern konkurrierende Nationalgott gesehen, sondern als der Gott, der *allen Völkern* ihre ירשה 'gibt.'" ("Kerygmata," 94; emphasis mine). In my opinion, this latter statement is incorrect. The authors of the conquest account in Deut and Josh are simply not interested in the relationship between people, land, and deity in the case of other ethnic groups; their sole focus is on the group constantly referred to as "Israel."

That Josh 22:1–6 belongs to the same redaction as 21:43–45 seems doubtful, however, and has often been disputed. The language of Josh 22:1–6 is not characteristic of the Dtr literature. For instance, Josh 22:4 no longer uses the root ירש (and the substantive formed with it, ירשה) for the conquest of the land, but the priestly term אחזה.[12] Likewise, in Josh 22:5 the combined reference to the "commandment" (מצוה) and the "teaching/instruction" (תורה) that were prescribed by Moses appears to be a reference to Exod 24:12; otherwise, the combination of these two terms occurs only in 2 Kgs 17:37; Prov 6:23; and 2 Chr 14:3 (19:10); 31:21, none of which is Dtr.[13] Further observations could be added, such as the use in Josh 22:3 of the expression שמר משמרת; in Joshua–Kings, the only other occurrence of this expression with the meaning "to keep the observance" is in a late passage, 1 Kgs 2:3.[14] Finally, there are also reasons to think that Deut 3:18–20 and Josh 1:12–18, on which Josh

[12] Outside of Josh 22:1–6, this term occurs exclusively in the so-called Priestly texts of the Pentateuch and of Josh: cf. Gen 17:8; 23:4, 9, 20; 36:21, 43; 48:4; 49:30; 50:13; Lev 14:34 (twice); 25:10, 13, 24, 25, 27, 28, 32, 33 (twice), 34, 41, 45, 46; 27:11, 16, 21, 22, 24, 28; Num 27:4, 7; 32:5, 22, 29, 32; 35:2, 8, 28; Deut 32:49; Josh 21:12, 41; 22:9, 19 (twice). It also occurs several times in Ezek 40–48, as well as in Chr. There is no reason to consider that the use of this term in Josh 22:4 would have replaced the use of ירש in an earlier version of this passage.

[13] The fact that Josh 22:5 refers to מצוה and תורה (in this order), whereas Exod 24:12 has תורה and מצוה, could be an instance of "reverse quotation," following Seidel's law. 2 Kgs 17:37, the only other passage in Josh–Kgs that evinces similar language, is part of a late anti-Samari(t)an polemic in 17:24–41 that was added during the Persian period; compare, e.g., J.-D. MACCHI, "Les controverses théologiques dans le judaïsme de l'époque postexilique: L'exemple de 2 Rois 17,24–41," *Transeu* 5 (1992), 85–93, as well as C. FREVEL, "Vom Schreiben Gottes: Literarkritik, Komposition und Auslegung von 2 Kön 17,34–40," *Bib* 72 (1991), 23–48. The second part of Josh 22:5 combines the language of Deut 6:5 with various other passages in Deut. The reference to "walking" in YHWH's ways is also found in Deut 10:12; 11:22; 19:5; 30:16; but the reference to "attaching" oneself to YHWH (with the verb דבק) is more unusual and can be found otherwise only in Deut 11:22.

[14] David's speech in 1 Kgs 2:2–4 is usually viewed as a late "nomistic" insert from the hand of the Deuteronomistic scribes; compare, e.g., E. WÜRTHWEIN, *Das erste Buch der Könige: Kapitel 1–16* (Göttingen: Vandenhoeck & Ruprecht, 1977), 20. However, like Josh 22:1–6, the language of this passage also contains terminology that is clearly post-Deuteronomistic. Apart from the expression שמר משמרת, the enumeration of the terms חקת, מצות, משפטים, and עדות in 1 Kgs 2:3 is unparalleled in the Deuteronomistic literature. Also, David's exhortation in v. 2 to "be strong" is clearly reminiscent of Josh 1:8, which is probably one of the latest additions to the book of Josh (see below, n. 91). In its present form at least, 1 Kgs 2:2–4 is best viewed therefore as resulting from a post-Dtr alignment of David's speech to Solomon with the Pentateuch. On this process of postpentateuchal alignment in Kgs in general, see the recent study by J. TREBOLLE, "Kings (MT/LXX) and Chronicles: The Double and Triple Textual Tradition," in *Reflection and Refraction: Studies in Biblical Historiography in Honour of A. Graeme Auld* (ed. R. Rezetko *et al.*; VTSup 113; Leiden: Brill, 2007), 483–501.

22:1–6 depends, are themselves later additions to their own literary contexts.[15] Overall, it seems more likely, therefore, that Josh 22:1–6 was not part of the same layer as Josh 21:43–45, but represents a later addition.[16]

As regards Josh 21:43–45, all commentators are agreed that this text forms a short, albeit sophisticated summary of the conquest in Joshua.[17]

> YHWH gave to Israel all the land that he had sworn to their ancestors that he would give them; they took possession of it, and they settled there. YHWH gave them rest from every side,[18] according to all that he had sworn to their ancestors:[19] of all their enemies, not one had stood in front of them; YHWH gave all their enemies into their hands. Of all the good words that YHWH had spoken to the house of Israel, not one had failed; all came to pass. (Josh 21:43–45)

The whole passage is a sophisticated collage of Deuteronomic language, together with references to the account in Josh 6–11, the general meaning of which is to establish that the conquest has come to a close.[20] The opening

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[15] See the discussion by U. SCHORN, *Ruben und das System der zwölf Stämme Israels: Redaktionsgeschichtliche Untersuchungen zur Bedeutung der Erstgeborenen Jakobs* (BZAW 248; Berlin: de Gruyter, 1997), 178, 180, 205–206. For the secondary character of Josh 1:12–18, see also, e.g., V. FRITZ, *Das Buch Josua* (HAT I/7; Tübingen: Mohr Siebeck, 1994), 30–31.

[16] For a similar conclusion, see already, e.g., U. BECKER, *Richterzeit und Königtum: Redaktionsgeschichtliche Studien zum Richterbuch* (BZAW 192; Berlin: de Gruyter, 1990), 72; SCHORN, *Ruben* (see n. 15), esp. 205–206; FRITZ, *Josua* (see n. 15), 220–222; J. NENTEL, *Trägerschaft und Intentionen des deuteronomistischen Geschichtswerks: Untersuchungen zu den Reflexionsreden Jos 1; 23; 24; 1 Sam 12 und 1 Kön 8* (BZAW 297; Berlin: de Gruyter, 2000), 98–99.

[17] Unless otherwise specified, all translations in this essay are mine. In all the main MSS of the LXX, the Greek text for v. 43 and for v. 45 is identical with the MT. The Greek text of v. 44 shows only minor variants, which are discussed below in the notes to the translation.

[18] The LXX renders this sentence as follows: καὶ κατέπαυσεν αὐτοὺς κύριος κυκλόθεν: "And (the) Lord brought them to a stop round about." This sentence corresponds to the text preserved by the MT, except that the LXX adds κυκλόθεν, which corresponds to Hebrew סביב. This reading is probably not original, but reflects a later alignment of the original Hebrew text with the formula found in Deut 12:10 and 25:19, where the reference to the "rest" granted to Israel is likewise followed by "from around." In the MT, the word סביב occurs a little later in the verse; the reasons underlying this change in Josh 21:44 vis-à-vis Deut 12:10 (and 25:19), are discussed below.

[19] In the main MSS of LXX, the Hebrew word כל, "all," in this sentence has no equivalent. G^B, e.g., reads καθότι ὤμοσεν τοῖς πατράσιν αὐτῶν, "as he swore to their fathers." It is difficult to decide with certainty which of the two textual traditions is closer to the original text. However, with regard to the frequent use of the word כל in the MT of Josh 21:43–45, it seems possible that this word was just dropped from the LXX, whether deliberately or not.

[20] Compare, e.g., FRITZ, *Josua* (see n. 15), 217: "Der gesamte Abschnitt setzt sich aus deuteronomistischen Wendungen zusammen." Likewise, T.C. BUTLER, *Joshua* (WBC 7; Waco, Tex.: Word Books, 1983), 234, offers the following comment: "The section [*scil*. Josh 21:43–45] is easily seen as a literary summary composed by the editor of the book in his fa-

statement in v. 43 brings together several key motifs in order to show that the divine promise of the land, repeated throughout Deuteronomy and restated in Josh 1:6, has now been realized. As Lohfink rightly observed, the combination in that verse of the following three elements: (1) the gift of the land by YHWH (with נתן), (2) the divine promise to the fathers (with שבע *niphal*), and (3) the conquest (with ירש), occurs otherwise exclusively in Deut 1:8 and 10:11, two passages that relate the command given by YHWH to leave Horeb and march toward the promised land.[21] In Josh 21:43, therefore, the entire period between the departure from Horeb and the settlement inside the land is now explicitly brought to a close, and a grand inclusion with the beginning of Deuteronomy is created. In addition, the notion that Israel's settlement inside the land is the purpose of the conquest is likewise characteristic of Deuteronomy (compare Deut 11:36; 12:10; 17:14; 19:1; 26:1).[22] After v. 43, v. 44a brings the fulfillment of the conquest into relationship with another topic, that of the "rest" (נוח *hiphil* A) granted by YHWH to Israel from their surrounding enemies. This motif appears to be a reference to Deut 12:10 and 25:19, two passages framing the legal collection in Deut 12–25.[23] In Josh 21:44, however, the connection established in Deut 12:8–12 between the land's gift and Israel's rest is taken one step further, inasmuch as Israel's rest is now presented as the fulfillment of a divine "promise" made to the fathers, just like the gift of the land. Furthermore, in Josh 21:44 the expected reference to the "enemies" is not immediately mentioned, as one would expect by analogy with Deut 12:10 and 25:19, but is transposed to the next two sentences in the second half of the verse (v. 44b), which offer a short summary of the conquest in language apparently borrowed from two previous passages in Josh 6–11, namely, Josh 10:19 and 10:8 respectively.[24] Finally, the entire passage con-

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vorite Deuteronomistic vocabulary. The explicit theological themes of Deuteronomy and Joshua are taken up and brought to a conclusion." Compare also R.D. NELSON, *Joshua: A Commentary* (OTL; Louisville, Ky.: Westminster John Knox, 1997), 242, who refers to this passage as a "theological summary statement" emphasizing "the totality of the victory and the gift of the entire land."

[21] LOHFINK, "Kerygmata" (see n. 8), 93–94 with n. 30; for this observation, compare also, e.g., E.A. KNAUF, *Josua* (ZBK; Zürich: Theologischer Verlag, 2008), 178 (however, with a slight typo: one should read "vgl. 5 Mose 1,8; 10,*11*," and not "10,1," which makes no sense in this context).

[22] As noted, *inter alia*, by FRITZ, *Josua* (see n. 15), 217. Note that the expression ויתן יהוה לישראל את־כל־הארץ also occurs in Deut 4:21; 15:4; 19:10; 20:16; 21:23; 24:4; 26:1, 25, as well as once in 1 Kgs 8:36.

[23] BRAULIK, "Zur deuteronomistischen Konzeption" (see n. 9), 221–222. On the significance of this motif in Josh 21:44, see the discussion further below.

[24] In v. 44b, the phrase ולא־עמד איש בפניהם מכל־איביהם has its closest parallel in Josh 10:19. The following expression, כל־איביהם נתן יהוה בידם, is reminiscent of Josh 10:8.

cludes in v. 45 with a general comment on the conquest that underlines once more the fulfillment of all the divine promises.[25]

The fact not only that Josh 21:43–45 is the last occurrence of the pair נתן and ירש, but that it is a sophisticated summary of the conquest that builds a grand envelope with Deut 1–3 (especially Deut 1:6–8), could seem to support Lohfink's view that this passage once formed the conclusion of a discrete Dtr composition in Deuteronomy–Joshua, DtrL. As a matter of fact, the "closing" signals seem so obvious that the notion that Josh 21:43–45 once stood at the end of the Joshua narrative was adopted even by scholars who do not accept Lohfink's theory of a DtrL restricted to Deuteronomy and Joshua.[26] In addition, it is also true that there is clear reference that connects Josh 21:43–45 to the following narrative in Judges, Samuel, and Kings, contrary to what is the case in the speeches of Josh 23 and 24. However, this conclusion also raises a number of methodological issues. First, the presence of a recurring phraseology in Deuteronomy and Joshua is not a sufficient argument *per se* for identifying a single *redaction* in those two books. After all, scribes were typically trained in antiquity through copying, learning, and memorizing the writings of their predecessors, and it is only to be expected that later generations of scribes editing and supplementing the scrolls of Deuteronomy and Joshua would do so by imitating the language that they already found in these scrolls. In other words, all the passages describing the conquest in terms of "taking into possession" are not necessarily from the same hand; this is already implied by the case of Deut 3:18–20; Josh 1:12–18; and Josh 22:1–6, which, as the previous discussion has recalled, are unlikely to belong to the same layer as Josh 21:43–45 even though they do use some of the same language.[27] Se-

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[25] As pointed out by some commentators, the language of Josh 21:45, contrary to that of vv. 43 and 44, has no equivalent in Deut; the only parallel can be found in Josh 23:14 (which repeats verbatim Josh 21:45) as well as in 1 Kgs 8:56. Compare, e.g., DE VOS, *Los Judas* (see n. 9), 216. For the interpretation of this finding, see further below.

[26] Compare, e.g., M.A. O'BRIEN, *The Deuteronomistic History Hypothesis: A Reassessment* (OBO 92; Fribourg: Éditions universitaires; Göttingen: Vandenhoeck & Ruprecht, 1989), 74–75 (although, following Lohfink, he includes Josh 22:1–6* together with 21:43–45); E. BLUM, "Der kompositionelle Knoten am Übergang von Josua zu Richter: Ein Entflechtungsvorschlag," in *Deuteronomy and Deuteronomic Literature: Festschrift C.H.W. Brekelmans* (ed. M. Vervenne and J. Lust; BETL 133; Leuven: Leuven University Press, 1997), 181–212, who (like O'Brien) argues that Josh 21:43–45 formed the conclusion to the Joshua narrative in the first edition of the Deuteronomistic History; or more recently KNAUF, *Josua* (see n. 21), 178–179, for whom Josh 21:43–45 was added to form the conclusion of a "Hexateuch" created by the "D" school. As we will see (below, sec. 3), there are indeed reasons to question this reconstruction of the literary history of Josh 21–24.

[27] The same observation applies, *mutatis mutandis*, to the more recent studies by Lohfink in which he seeks to identify what he terms "historical-typological text-structures" (*geschichtstypologische Textstrukturen*) consisting of a 7 + 1 pattern in Deut and Josh; see N.

cond, even admitting that some of these passages go back to the same Dtr redaction (as is probably the case, e.g., with Deut 1:6–8 and Josh 21:43–45), the fact that the scope of those passages is limited to Deuteronomy and Joshua does *not* necessarily imply that this redaction was restricted to the books of Deuteronomy and Joshua (unless we want to assume a very "mechanical" conception of what a redaction is). Rather, as some authors have correctly pointed out, this observation can also be accounted for by the assumption that the traditions about the conquest in Deuteronomy and Joshua formed a distinct *theme* within a larger narrative unit that was not limited to Deuteronomy and Joshua only.[28]

That this second option is indeed the correct one in the case of Josh 21:43–45 is confirmed when we focus not only on the language of the conquest in v. 43, but also on the motif of Israel's "rest" in v. 44a. In a seminal essay from 1983, G. Braulik observed that Josh 21:44a connected Josh 21 not only with Deut 12:10 but also with the conclusion to the account of the building of Solomon's temple in 1 Kgs 8, and that the three passages together formed a sophisticated system of cross-references.[29] There is no need to repeat Braulik's

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LOHFINK, "Geschichtstypologisch orientierte Textstrukturen in den Büchern Deuteronomium und Josua," in *Deuteronomy and Deuteronomic Literature: Festschrift C.H.W. Brekelmans* (ed. M. Vervenne and J. Lust; BETL 133; Leuven: Leuven University Press, 1997), 133–160. It seems quite difficult, if not impossible, that the passages which Lohfink includes all belong to the same redaction, as he himself acknowledges in part. See on this the critical remarks by K. BIEBERSTEIN, "Das Buch Josua und seine Horizonte," in *Das deuteronomistische Geschichtswerk* (ed. H.-J. Stipp; ÖBS 39; Frankfurt am Main: Peter Lang, 2011), 151–176, here 166.

[28] Compare, e.g., BIEBERSTEIN, *Josua* (see n. 5), 386–387, and his comment on 387: "Und so wird ähnlich auch gegenüber Lohfink zu fragen sein, ob sich die Begrenztheit seiner Aussagenreihe von Dtn 1 bis Jos 22 nicht auch mit der erzählten Geschichte selber erklären läßt." For a similar remark, see also C. FREVEL, "Die Wiederkehr der Hexateuchperpsektive: Eine Herausforderung für die These vom deuteronomistischen Geschichtswerk," in *Das deuteronomistische Geschichtswerk* (ed. H.-J. Stipp; ÖBS 39; Frankfurt am Main: Peter Lang, 2011), 13–53, here 30: "Dass es einen auch sprachlich engen Darstellungszusammenhang zwischen Dtn-Jos gibt, ist unmittelbar einsichtig, doch folgt daraus auch die literarische Eigenständigkeit dieser Erzählung?"

[29] BRAULIK, "Zur deuteronomistischen Konzeption" (see n. 9). Some key aspects of this article are resumed in his recent essay from 2011: BRAULIK, "Deuteronomistische Landeroberungserzählung" (see n. 6). Braulik's interpretation has been accepted by a number of scholars. See especially O'BRIEN, *Deuteronomistic History Hypothesis* (see n. 26), 59–60, 74–75, and 158 with n. 101, and more recently NENTEL, *Trägerschaft und Intentionen* (see n. 16), 265–270. Another detailed study of the "rest" motif in the Dtr literature, albeit with different conclusions, is W. ROTH, "The Deuteronomic Rest Theology: A Redaction-Critical Study," *BR* 21 (1976), 5–14. More generally, the notion that the reference to Deut 12:8–12 in Josh 21:43–45 also connects the latter passage with 1 Kgs 8 has been accepted by several scholars, although it is variously interpreted; compare, e.g., KNAUF, *Josua* (see n. 21), 179, who main-

careful demonstration here, and it will suffice to recall some basic observations. As noted above, the reference to Israel's rest in Josh 21:44a (with נוח *hiphil* A), which follows immediately after the conclusion of the conquest in v. 43, takes up the language of Deut 12:10. The connection with Deut 12 is all the more obvious because the reference to Israel's "rest" inside the land in Josh 21:44 follows after the reference to their settlement (with ישב) inside that same land, as already in Deut 12:10.

Deut 12:10 וישבתם בארץ אשר־יהוה אל היכם מנחיל אתכם והניח לכם מכל־איביכם מסביב

Josh 21:43b, 44a וירשוה וישבו בה וינח יהוה להם מסביב

The variations between Josh 21:44 and Deut 12:10 can all be seen as contextual. The reference to the rest that was promised "to the fathers" has no equivalent in Deuteronomy, but aligns the promise of the rest with that of the land in v. 43a. Furthermore, as noted earlier, the fact that the reference to the rest given by YHWH "from around" is not immediately connected with the reference to the enemies, as in Deut 12:10, and that the latter reference comes only later, makes it possible to introduce a combined reference to Josh 10:19 and 10:8, two key statements in the conquest account of Josh 6–11.

Within Deut 12:8–12, however, the motif of Israel's rest cannot be dissociated from another central topic in Deuteronomy, namely, that of the central "place" (מקום) of worship, where the people are required to bring their offerings once they have been granted "rest" by YHWH from "all their surrounding enemies."[30] In this respect, the motif of Israel's rest in Deut 12:8–12 connects

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tains that Josh 21:43–45 marks the end of a "Hexateuch" composed by the "D" school, but nonetheless admits that this passage also prepares for the building of the temple in 1 Kgs 8. On this issue, see the discussion further below.

[30] As is well-known, there is a difference here between the textual tradition preserved in SamP, which speaks of the place that YHWH has chosen (with a verbal form in the *qatal*, בחר) and in the MT, which refers to the place that YHWH will choose in the future (*yiqtol*, יבחר). This issue goes beyond the scope of this study and is not central to the present argument. In my view, the two readings need to be correlated with the different political and cultic outlooks of the Samaritan and Judean communities during the Second Temple period, as well as with the collections of scriptures that they acknowledged as authoritative. For the Samaritans, who presumably accepted the sole Pentateuch, the central place of the cult was Mount Gerizim. For the Judeans, who recognized as authoritative not only the Pentateuch but also the following books that would later form the Prophets, this place was Jerusalem, and the city's election was justified by the following narrative in Sam–Kgs. It is becoming increasingly evident that the reference to Mount Gerizim as the place for YHWH's cult is not a late Samaritan revision, as was traditionally assumed, but represents an early reading. The reading "Gerizim" in Deut 27:4 is supported by one codex of the Old Latin (reading *in monte garzin*), as well as by a fragment of Deut, presumably from Qumran, published by J.H. CHARLESWORTH ("What Is a Variant? Announcing a Dead Sea Scroll Fragment of Deuteronomy," *Maarav* 16/2 [2009], 201–212). Likewise, A. SCHENKER has recently demonstrated that the reference

the conquest with the legislation about the מקום, insofar as Israel's rest inside the land eventually leads to worship at the central sanctuary.[31] In Josh 21:43–45, however, that connection between Israel's rest and the central sanctuary remains unrealized, since the building of the central place of worship does not follow immediately upon the conquest, but occurs only much later, under the reigns of David and Solomon. This partial accomplishment of Deut 12 in Josh 21 is further emphasized by the fact that Josh 21 takes up the language of Israel's "rest" from Deut 12:10, but does not connect the מקום, the central place of worship (Deut 12:11), with the מנוחה, the place of rest (Deut 12:9). Consequently, the "rest" motif logically returns in the books of Samuel and Kings, where it *always* occurs in connection with the building of the temple: 2 Sam 7:1, 11; 1 Kgs 5:18; 8:56.[32] The last occurrence of this motif is in Solomon's blessing after the completion of the building of the temple.[33] As has often been observed, the connection between 1 Kgs 8:56 and Deut 12:8–12 is un-

to the place that YHWH had chosen (past tense) in Deut 12 and related passages was preserved in some manuscripts of the LXX, and that it probably represented the original Greek text of Deut; see "Le Seigneur choisira-t-il le lieu de son nom ou l'a-t-il choisi? L'apport de la Bible grecque ancienne à l'histoire du texte samaritain et massorétique," in *Scripture in Transition: Essays on Septuagint, Hebrew Bible, and Dead Sea Scrolls in Honour of Raija Sollamo* (ed. A. Voitila and J. Jokiranta; JSJSup 126; Leiden: Brill, 2008), 339–351. On the other hand, it is clear that the close interplay between Deut 12:8–12 and passages such as Josh 21:43–45 and 1 Kgs 8:56 necessarily implies a reading with the future tense. The only possible conclusion, in my opinion, is that in the Persian period there already existed at least two versions of Deut. One supported the notion that YHWH had already chosen the place of his cult when he revealed the laws of Deut to Moses, and the other supported the notion that he would choose this place in the future. Evidently, these two versions were closely associated with the sanctuaries in Jerusalem and Gerizim respectively. The whole issue raises fascinating questions, which cannot be addressed in the context of this essay.

[31] Another reference to Deut 12:8–12 occurs in Deut 25:19, in the context of a stipulation concerning Israel's handling of Amalek (Deut 25:17–19); the language of this passage takes up and combines Deut 12:9 and 10. It is debatable whether Deut 25:17–19 belongs to the same layer as Deut 12:8–12, and this question can be left open here. In any event, the purpose of the reference to Deut 12:9–10 in 25:19 seems to be to frame the Deuteronomic law code in Deut 12–25 with a reference to Israel's "rest," thereby highlighting the importance of this motif within the Deuteronomic legislation. Compare also BRAULIK, "Zur deuteronomistischen Konzeption" (see n. 9), 221–222, who comments: "Das Ruhemotiv fungiert dadurch als Rahmenelement des dtn Gesetzeskorpus, seiner Kult- und Sozialordnung."

[32] The references in 2 Sam 7 explain why David, having been given rest from his enemies, intended to build a temple for YHWH and was prevented from doing so by YHWH himself (2 Sam 7:1, 11). The first reference to this motif in 1 Kgs occurs precisely in the speech where Solomon declares that, having been given rest from his enemies, he intends to build a temple for YHWH (5:18–19); furthermore, this passage explicitly refers back to 2 Sam 7 (1 Kgs 5:19b, and cf. 2 Sam 7:13).

[33] Note, therefore, that the entire section about the building of the temple in 1 Kgs 5–8 is thus finely framed by the motif of Israel's "rest."

mistakable. First Kings 8:56 uses the noun מנוחה in connection with the verb נתן ("to give rest"), as in Deut 12:9. Otherwise, this expression is never found in the Hebrew Bible. Furthermore, 1 Kgs 8:56 explicitly refers to the stipulation of Deut 12 with the following comment: "according to all that he (i.e., YHWH) had spoken" (בכל אשר דבר). Significantly, this comment is itself followed in the second half of 1 Kgs 8:56 by a verbatim (albeit slightly expanded) reference to the comment that concludes Josh 21:43–45. Here again, the parallel is unmistakable because, if we except the case of Josh 23:14 (itself a repetition of Josh 21:45), this language is not found elsewhere.

> 1 Kgs 8:56: Blessed be YHWH, who has given (נתן) rest (מנוחה) to his people Israel according to all that he had spoken (→ Deut 12:9):
>
> Not one word has failed of all his good word, which he spoke through his servant Moses (→ Josh 21:45).

The combined reference to Deut 12:9 and Josh 21:45 in 1 Kgs 8:56 highlights the close connection between these three passages. All three passages are thus part of *one and the same system*, which is itself predicated upon Deut 12:8–12, the *only* passage in Deuteronomy that binds together the conquest, Israel's rest, and the central sanctuary into a two-tiered periodization of Israel's history. Whereas the inclusion between Josh 21:43–45 and Deut 12:8–12 delineates the time from the conquest to Israel's rest inside the land, the inclusion between 1 Kgs 8:56 and Deut 12:8–12, combined with Josh 21:43–45, delineates a further era that extends from Israel's rest inside the land to the building of the central sanctuary in Jerusalem under Solomon *via* the establishment of the Israelite monarchy. Without 1 Kgs 8:56 and the related passages in Samuel–Kings (2 Sam 7:1, 11; 1 Kgs 5:18), the reference to Deut 12:8–12 in Josh 21:43–45 remains a blind motif.[34]

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[34] In general, commentators are agreed that the three key passages in Deut 12:8–12; Josh 21:43–45; and 1 Kgs 8:56 belong to the same Dtr redaction; compare, e.g., O'BRIEN, *Deuteronomistic History Hypothesis* (see n. 26), 74–75; NENTEL, *Trägerschaft und Intentionen* (see n. 16), 269. As was shown above, Josh 21:43–45 and 1 Kgs 8:56 are obviously based upon Deut 12:8–12. On the other hand, Deut 12:8–12 remains unfulfilled without 1 Kgs 8:56, and the latter passage refers itself to Josh 21:43–45. Alternative explanations are simply not convincing. E.g., ROTH, "Deuteronomic Rest Theology" (see n. 29), wanted to assign Deut 12:8–12 and 1 Kgs 8:56 to a redactional layer ("DtrN") later than Josh 21:43–45 ("DtrG"), but in order to do so he was forced to argue that Josh 21:43–45 referred not to Deut 12:10 but to Deut 3:20, which is unwarranted. Another issue is whether the references to the "rest" motif in 2 Sam 7:1, 11 and 1 Kgs 5:18 belong to the same Dtr redaction as Deut 12:8–12; Josh 21:43–45; and 1 Kgs 8:56. NENTEL, e.g., wants to assign them to a later layer ("DtrS"), cf. his discussion in *Trägerschaft und Intentionen* (see n. 16), 265–270. This conclusion is largely based on his reconstruction of the redaction of 2 Sam 7, which I cannot follow. In my view, there is no reason to consider the references to the "rest" motif in 2 Sam 7:1, 11 not to be part of the original composition of the oracle to David. The contrary view is usually based on the

If this interpretation is correct, the only possible conclusion is that Josh 21:43–45 was *not*, initially, the conclusion of a Dtr composition extending from Deuteronomy to Joshua, as per Lohfink's DtrL hypothesis. Through its partial reference to Deut 12:8–12 and the building of the sanctuary, that passage actually prepares for the account of the first kings and the building of the temple as it is related in Samuel and Kings. This means that when Josh 21:43–45 was composed, the traditions about the conquest associated with the figure of Joshua were already in the process of being joined not just to Deuteronomy but to the traditions about the monarchy in Samuel–Kings as well. Within the sophisticated system of cross-references described above, Josh 21:43–45 thus marks the end of a distinct *period* – the conquest under Joshua – not of a discrete *composition* that would have been initially restricted to the narrative in Deuteronomy and Joshua.[35] This period was followed by another one, extending from Israel's settlement inside the land until the building of the temple under Solomon, when the stipulation of Deut 12:8–12 was finally fulfilled, and this further era in the Dtr construction of Israel's history was framed by the joined reference in 1 Kgs 8:56 to Deut 12:9 and Josh 21:45.

As recalled above, Braulik has already offered a comprehensive description of that system of cross-references and its implied chronology. Yet because he nonetheless wanted to salvage Lohfink's conception of a DtrL in Deuteronomy–Joshua, Braulik was forced to surmise that Josh 21:44a, with its reference to Deut 12:10, belonged together with v. 45 to a later redactional layer than vv. 43 and 44b.[36] According to this model, the reference to Israel's "rest" in connection with the settlement of the east Jordan tribes in Deut 3:20; Josh 1:13, 15; 22:4 would belong to "DtrL." The other references to the "rest" in Deut 12:9–10; 25:19; Josh 21:44a; and 1 Kgs 8:56 would be part of "DtrH," the Deuteronomistic History extending from Deuteronomy to Kings. However, this suggestion seems unwarranted and cannot be supported by the

argument that the reference would contradict the following account in 2 Sam 8, which reports David's involvement in a series of wars with Israel's neighbors. However, that argument seems to be based on a misunderstanding. What the "rest" motif in the Dtr literature implies is that Israel's safety inside the borders of its land will not be threatened by other ethnic groups. It does not mean that Israel will not initiate wars against those same groups, as in the case of David's conquests in 2 Sam 8. This point is made clear in Deut 25:17–19, where the promise of Israel's rest is immediately followed by the command to destroy Amalek (v. 19!). (I owe this observation to my colleague Jan Rückl from the University of Lausanne.)

[35] This conclusion was already correctly argued by BRAULIK, "Zur deuteronomistischen Konzeption" (see n. 9), 223, who made the following comment: "Das *nwḥ*-hi./*menuḥâ*-System periodisiert in Jos. xxi 43–45 und 1 Kön viii 56 die Geschichte Israels. Die Ruhe, die Jahwe verschafft bzw. die er gibt, begrenzt die Epoche der Landnahme unter Josua und die davidisch-salomonische Ära des Tempelbaues."

[36] BRAULIK, "Zur deuteronomistischen Konzeption" (see n. 9), 227. This position is restated in IDEM, "Deuteronomistische Landeroberungserzählung" (see n. 6), 142–144.

textual evidence.[37] The separation between v. 44a and 44b looks artificial, especially when it is observed that 21:44a follows neatly after 21:43b.[38] Furthermore, the notion that the Dtr theme of "rest" would have been developed first in reference to the settlement of the east Jordan tribes (Deut 3:20; Josh 1:13, 15; 22:4) and then reapplied to Israel's settlement inside the land and the building of the temple (Deut 12:9–10; Josh 21:44a; 2 Sam 7:1, 11; 1 Kgs 5:18; 8:56) only at a later stage, as Braulik must surmise, seems somewhat counterintuitive. It seems more logical to presume that the application of the rest motif in the context of the settlement of the east Jordan tribes is a further development based on Deut 12:9–10 and the related passages, and this conclusion is supported by the studies already mentioned above, which conclude that Deut 3:18–20; Josh 1:12–18; and Josh 22:1–6 are more likely to be late inserts in their respective contexts. In sum, Braulik's attempt to reconstruct an earlier form of Josh 21:43–45 cannot be supported, and the whole theory according to which this passage would once have formed the conclusion to a Dtr composition restricted to Deuteronomy and Joshua needs to be abandoned.[39]

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[37] The main argument put forward by BRAULIK ("Zur deuteronomistischen Konzeption" [see n. 9], 223) is that the assignment of v. 44a and 44b to two discrete layers could account for the fact that the reference to the rest given "from around" (מסביב) in 44a is not immediately followed by the reference to Israel's enemies, as per Deut 12:10 and 25:19. For Braulik, this could suggest that the scribe who inserted v. 44a did not need to repeat the reference to the "enemies" after the phrase מסביב because that reference was already present in v. 44b. However, this hypothesis is quite speculative, and Braulik's observation can certainly be interpreted differently. As was shown above, it can be accounted for by the fact that the distinct formulation of Josh 21:44 allowed for the inclusion of two references to Josh 10:19 and 10:8, respectively, and should therefore be viewed as a scribal adaptation of the formula of Deut 12:10 (and 25:19) to the specific context of the conquest narrative in Josh. Otherwise, I can see no evidence for disjoining Josh 21:44a and 44b; on the contrary, the two parts of the verse form a coherent unit, from the perspective both of their syntax and of their content. In his latest publication on the topic, BRAULIK, "Deuteronomistische Landeroberungserzählung" (see n. 6), basically restates the same argument for identifying two layers within Josh 21:43–45 without significant changes.

[38] V. 43b ends with a reference to Israel's settlement inside the land, with the verb ישב, which is *not* present in the text of Deut 1:8, quoted in the first part of v. 43 (43a). However, the sequence ישב + נוח *hiphil* A that is composed of Josh 21:43b + 44a is reminiscent of the formulation of Deut 12:10, where we already find a similar sequence with the verb ישב in the *we-qatal* followed by the verb נוח *hiphil* A, also in the *we-qatal* (וישבתם בארץ […] והניח לכם מכל־אויביכם). As argued above, this appears to suggest that the sequence formed by vv. 43b + 44a was modeled upon Deut 12:10. If so, Braulik's attempt to dissociate v. 43 from v. 44a is all the more unlikely.

[39] In his 2011 study, BRAULIK, "Deuteronomistische Landeroberungserzählung" (see n. 6), discusses a number of phrases and motifs that are in part or in their entirety specific to Deut and Josh. Although this study contains several valuable observations and insights, this approach does not fundamentally answer the methodological critiques formulated above regarding Lohfink's argument for identifying a DtrL in Deut and Josh. Namely, (a) linguistic

3. Joshua 22–24, Deuteronomy, and Judges

Building upon this conclusion, we may now seek to identify more closely the collection of which the books of Deuteronomy and Joshua were a part at the time when the Dtr summary in Josh 21:43–45 was inserted. This issue can be addressed by discussing in some detail the relationship between Josh 21:43–45 and the final chapters of the book, Josh 22–24. The case of Josh 22 can be dealt with briefly. The main part of that chapter, vv. 9–34, which recounts the building of an altar beyond the Jordan, evinces a mixture of Dtr and Priestly terminology and is unanimously recognized as one of the latest additions to the book of Joshua. It was certainly not part of the Dtr editions of Joshua, but represents a post-Priestly supplement that appears to reflect the concerns of the Persian period.[40] As for the account of the settlement of the east Jordan tribes in Josh 22:1–6, it was already argued above that this passage is unlikely

parallels are not sufficient evidence for identifying a specific redaction, and (b) they do not suffice to prove that this redaction was restricted to the sole books of Deut and Josh. After all, Braulik himself never argued for the existence of a specific Dtr redaction in Deut 1–1 Kgs 8, even though the system of cross-references that he correctly identified ends with the inauguration of Solomon's temple.

[40] Josh 22:9–34 was already assigned to a post-Priestly layer in Josh by A. KUENEN, *Historisch-kritische Einleitung in die Bücher des Alten Testaments hinsichtlich ihrer Entstehung und Sammlung, Erster Teil, Erstes Stück: Die Entstehung des Hexateuchs* (Leipzig: Otto Schulze, 1887), 103, 326. For a more recent discussion, see, e.g., FRITZ, *Josua* (see n. 15), 222–226; SCHORN, *Ruben* (see n. 15), 203–223, esp. 208–211.

To this may be added the two following studies: C.G. DEN HERTOG, "Der geschichtliche Hintergrund der Erzählung Jos 22," in *Saxa loquentur: Studien zur Archäologie Palästinas/Israels; Festschrift für Volkmar Fritz zum 65. Geburtstag* (ed. C.G. den Hertog *et al.*; AOAT 302; Münster: Ugarit-Verlag, 2003), 61–83; as well as J. THON, *Pinhas ben Eleasar: Der levitische Priester am Ende der Tora; Traditions- und literargeschichtliche Untersuchung unter Einbeziehung historisch-geographischer Fragen* (ABG 20; Leipzig: Evangelische Verlagsanstalt, 2006). The composition of this story in the Persian period should be viewed as an attempt to deal with the problem of Israelite settlements beyond the Jordan at that time, probably with their own cultic practices. Josh 22 acknowledges this historical reality but emphasizes that the altars of these groups should not be used to offer sacrifices, a function that – from the perspective of the Judean scribes who composed this story – is reserved to the central altar in Jerusalem. Comparison between the MT and OG of Josh 22:9–34 suggests in addition that the literary history of this text may be more complex than has usually been assumed; see especially the recent study by A. SCHENKER, "Altar oder Altarmodell? Textgeschichte von Jos 22,9–34," in *Florilegium Lovaniense: Studies in Septuagint and Textual Criticism in Honour of Florentino García Martínez* (ed. H. Ausloos *et al.*; BETL 224; Leuven: Peeters, 2008), 417–425.

to belong to the same redaction as Josh 21:43–45, and that it is more likely to represent a later addition based on Deut 3:18–20 and Josh 1:12–18. The short notice about the half-tribe of Manasseh in 22:7–8 is clearly based upon 22:1–6, and must therefore also be later than 21:43–45.

There remain therefore Josh 23 and 24, comprising two distinct speeches by Joshua that precede the notice relating Joshua's death and burial with which the book concludes (Josh 24:29–32, with the parallel in Judg 2:6–9).[41] Because of the differences both in language and in content between the speeches of Josh 23 and 24:1–28, it is generally agreed that the two texts cannot stem from the same hand. Furthermore, it is acknowledged that the wording of Josh 24 is not characteristically Dtr and that the historical retrospect in the first part of that chapter, vv. 2–13, beginning with Abraham, has no equivalent elsewhere in the Dtr literature.[42] Earlier commentators assumed that Josh 24 was based on an ancient tradition reporting the conclusion of a covenant at Shechem, which may have been included in the Dtr edition of Joshua by the author of the Deuteronomistic History.[43] More recent studies, however, especially in the wake of J. Van Seters and E. Blum, have fostered an entirely different explanation for the distinct character of Josh 24, arguing that Josh-

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[41] The notice about Joshua's death is followed by a shorter notice reporting the death and the burial of Eleazar, Aaron's grandson and Israel's high priest during the time of Joshua (Josh 24:33), which is unanimously regarded as a later addition. As is well-known, the OG of Josh has a longer ending, which recounts the events following the death of Joshua and Eleazar. This additional account corresponds broadly to the narrative presented at the beginning of Judg 3:12–30, compare Judg 3:12–14 (MT and LXX). This observation has sometimes given rise to the view that the OG would preserve an earlier link between the books of Josh and Judg and that the material in Judg 1:1–3:11 would be entirely a later supplement. See, e.g., A.G. AULD, *Joshua: Jesus Son Of Nauē in Codex Vaticanus* (Leiden: Brill, 2005), 229. However, there are difficulties with this conclusion; Josh 24:33 in the OG already mentions the figure Eleazar, which was introduced in the latest stages of the composition of the book, and it is unlikely that all of Judg 1:1–3:11 was introduced still later.

[42] For a detailed review of the main arguments against the assignment of Josh 24 to the corpus of Dtr texts, see, e.g., O'BRIEN, *Deuteronomistic History Hypothesis* (see n. 26), 77–81.

[43] NOTH, *Deuteronomistic History* (see n. 1), 40–41, regarded Josh 24 as a later addition to the Dtr History, which concluded in Josh with ch. 23; but R. Smend regarded Josh 24 as the original ending of DH, whereas Josh 23 was a later addition introducing the theme of the nations left inside the land. See R. SMEND, "Das Gesetz und die Völker: Ein Beitrag zur deuteronomistischen Redaktionsgeschichte," in *Probleme biblischer Theologie: FS Gerhard von Rad* (ed. H.W. Wolff; München: C. Kaiser, 1971), 494–509. For a detailed *Forschungsbericht* about the discussion concerning the composition of Josh 24 until the mid-nineties, see E. NOORT, *Das Buch Josua: Forschungsgeschichte und Problemfelder* (EdF 292; Darmstadt: Wissenschaftliche Buchgesellschaft, 1998), 205–222.

ua's speech in vv. 1–28 was a late supplement to the book of Joshua, of post-Dtr or even post-Priestly origin.[44]

[44] See J. VAN SETERS, "Joshua 24 and the Problem of Tradition in the Old Testament," in *In the Shelter of Elyon: Essays on Ancient Palestinian Life and Literature in Honor of G.W. Ahlström* (ed. W.B. Barrick and J.R. Spencer; JSOTSup 31; Sheffield: JSOT Press, 1984) (Josh 24 is the work of a post-Deuteronomistic Yahwist); E. BLUM, *Studien zur Komposition des Pentateuch* (BZAW 189; Berlin: de Gruyter, 1990), 363–365; IDEM, "Kompositionelle Knoten" (see n. 26), 194–206. Compare also, e.g., O'BRIEN, *Deuteronomistic History Hypothesis* (see n. 26), 77–79. Although their argumentation differs, those scholars regard Josh 24 as a post-Dtr, but not post-Priestly, composition. The case for viewing this text as not only post-Dtr but also post-Priestly was argued at length by M. Anbar in a comprehensive study of Josh 24, where he argued that the author of this chapter had at his disposal the main traditions of the Pentateuch, including P, which he combined freely. See M. ANBAR, *Josué et l'alliance de Sichem (Josué 24:1–28)* (BET 25; Frankfurt am Main: Peter Lang, 1992). This view has since been taken up and further argued by several scholars; see in particular T. RÖMER, "Pentateuque, Hexateuque et historiographie deutéronomiste: Le problème du début et de la fin du livre de Josué," *Transeu* 16 (1998), 71–86; as well as K. SCHMID, *Erzväter und Exodus: Untersuchungen zur doppelten Begründung der Ursprünge Israels innerhalb der Geschichtsbücher des Alten Testaments* (WMANT 81; Neukirchen-Vluyn: Neukirchener, 1999), 209–230. As a matter of fact, there are some arguments for viewing Josh 24 – at least in its present form – as a text already influenced by the Priestly traditions. This is obvious, in particular, in the account of the crossing of the sea in vv. 6–7. V. 6 conflates the descriptions in Exod 14:9 and 22–23, which are classically assigned to P. V. 7 takes up the P motif of the people crying out to God in Exod 14:10 but combines it with a reference to the non-Priestly tradition of the darkness separating Pharaoh's army from the Israelites, itself taken from Exod 14:20. The reference in this verse to YHWH making the sea return over (שוב *hiphil*) the Egyptians and "covering" them (כסה *piel*) corresponds to Exod 14:28 and is distinctive of the Priestly tradition; but the concluding statement, "Your eyes have seen what I have done to the Egyptians," corresponds to Exod 14:31 (non-P, most likely redactional). Finally, the reference to Israel's sojourn in the wilderness at the end of v. 7 is based on Deut 1:46, a (late) Deuteronomistic passage. Though this is the most telling illustration of the combination of various pentateuchal traditions in Josh 24:2–13, there is additional evidence that Josh 24 is based upon and presupposes the Priestly narrative; in addition to Anbar, see also RÖMER, "Pentateuque, Hexateuque et historiographie deutéronomiste," 83 n. 53; as well as SCHMID, *Erzväter und Exodus*, 226–227. Whether this means that Josh 24 already knows a tradition of the Pentateuch that combines P and non-P is, admittedly, debatable; compare the recent, critical remarks on this by D.M. CARR, *The Formation of the Hebrew Bible: A New Reconstruction* (Oxford: Oxford University Press, 2011), 134–136, 273–275. Nonetheless, in light of the evidence mentioned here, it seems fair to state that the composition of Josh 24 took place in a context when the Priestly and non-Priestly traditions were in the process of being joined together.

One exception to the late dating of Josh 24 is represented by NENTEL, *Trägerschaft und Intentionen* (see n. 16), 66–96, who seeks to retrieve an earlier version of Josh 24, which he assigns to "DtrH," the author of the Deuteronomistic History. However, Nentel can only do so at the cost of a highly complex (and largely unconvincing) reconstruction of the "original" form of Josh 24. Even so, however, the primary layer reconstructed by Nentel in Josh 24 can hardly be said to be typically Dtr. For a similar attempt (facing similar difficulties), see al-

The case of Joshua's first farewell speech in Josh 23 raises a different issue. It has long been observed that Josh 23 repeats in several places the language of Josh 21:43–45 almost word for word. Joshua 21:43 is repeated twice in Josh 23:15 and 16. The situation described at the beginning of Joshua's farewell speech, Josh 23:1, corresponds to 21:44a. Joshua 21:44b is taken up as a conditional promise in 23:9. Finally, 21:45 is repeated word for word (with only two small variations) in 23:14.[45]

Given the importance of these parallels, there can be little doubt that one text is dependent upon the other. Noth considered Josh 23 to be part of the Deuteronomistic History and Josh 21:43–45 a later supplement based upon Josh 23.[46] However, this view seems difficult to sustain, and it has usually been rejected.[47] As a matter of fact, it seems much more obvious to interpret Josh 23 as an expansion of 21:43–45, rather than assuming that the scribe who composed Josh 21:43–45 would have picked up bits and pieces of Josh 23 in order to compose this summary statement of the conquest.[48] Alternatively, some scholars have argued that both texts should be assigned to the same Dtr redaction. Together, they formed the original conclusion to the Dtr edition of

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ready FRITZ, *Josua* (see n. 15), 235–249. Other authors still hold to the view that an earlier form of Josh 24* once composed the conclusion to a pre-Dtr Joshua narrative; see, e.g., M. KONKEL, *Sünde und Vergebung: Eine Rekonstruktion der Redaktionsgeschichte der hinteren Sinaiperikope (Exodus 32–34) vor dem Hintergrund aktueller Pentateuchmodelle* (FAT 58; Tübingen: Mohr Siebeck, 2008), 260; FREVEL, "Wiederkehr der Hexateuchperspektive" (see n. 28), 27. However, apart from vv. 19–21, which were introduced by means of the resumptive repetition in v. 19 (*Wiederaufnahme*) of Joshua's speech in v. 22, as well as from some isolated glosses, I see no firm evidence for assuming that Josh 24 has undergone a complex literary genesis.

[45] Compare:
ויתן יהוה לישראל את כל הארץ (Josh 21:43) → הארץ הטובה הזאת אשר נתן יהוה אלהיכם (23:15), as well as הארץ הטובה אשר נתן לכם (23:16)
הניח יהוה לישראל מכל איביהם מסביב (23:1) → וינח יהוה להם מסביב (21:44a)
לא עמד איש בפניכם (23:9) → ולא־עמד איש בפניהם מכל־איביהם (21:44b)
לא־נפל דבר אחד מכל הדברים הטובים (23:14) → לא־נפל דבר מכל הדבר הטוב (21:45).

[46] NOTH, *Deuteronomistic History* (see n. 1), 40–41.

[47] The main exception is represented by FRITZ, *Josua* (see n. 15), 216–217, who maintains that it is Josh 21 that is based on Josh 23 rather than the other way around. However, his argument in favor of this view is hardly conclusive. For a detailed criticism of Fritz's argument, see NENTEL, *Trägerschaft und Intentionen* (see n. 16), 98.

[48] Once it is acknowledged that Josh 23 is based upon 21:43–45, the suggestion that Josh 23, rather than 21:43–45, could once have formed the conclusion of a DtrL (together with Judg 2:6–9), as argued by OTTO, *Deuteronomium* (see n. 9), 101–109, 131, must likewise be abandoned.

Joshua, before the addition of a new conclusion in ch. 24.[49] However, this view is also difficult to support, especially because Josh 23 introduces a completely different conception of the conquest, according to which there now remain several nations around Israel within the same land. Such a conception appears to openly contradict the statement in Josh 21:43–45 that "all the land" was given to Israel, and Josh 23 – *at least in its present form* – is best understood as a corrective of Josh 21:43–45, which takes up the language of that summary statement in order to advance a revised interpretation of the conquest, as R. Smend argued in his seminal 1971 essay.[50] Even commentators who seek to assign Josh 21:43–45 and Josh 23 to the same Dtr layer, like R. Nelson, must admit that Joshua's farewell speech in ch. 23 introduces a "new" and "somewhat unexpected factor" and thus "modifies the totally positive outlook of Josh 21:43–45."[51] Consequently, other scholars have logically argued that Josh 23 belongs to a later Dtr redaction than Josh 21:43–45 and that the latter passage, probably with a brief notice reporting Joshua's death and burial in either Josh 24:29 or Judg 2:8, was followed by Judg 2:11–3:6 in the earliest Dtr edition of Joshua and Judges.[52]

There are, nonetheless, some difficulties with this reconstruction. First, if, as appears to be the case, the Dtr construction of Joshua was modeled on the figure of Moses in Deuteronomy, then it seems unlikely that the first Dtr edition of Joshua would not already comprise a final speech placed in the mouth of Joshua. Second, this line of interpretation tends, in placing Josh 23 after 21:43–45, to assume that ch. 23 is a literary unit, which is questionable. In particular, v. 10 takes up and combines the statements in v. 3 ("For it is YHWH, your God, who fights with you") and v. 5 ("just as he has promised you"); and the final statement of v. 13 ("until you perish [עד־אבדכם] from this good land that YHWH your God has given you") is repeated at the end of v. 15 ("until he has destroyed [עד־השמידו] you from this good land that YHWH your

[49] See, e.g, J. VAN SETERS, "The Deuteronomist from Joshua to Samuel," in *Reconsidering Israel and Judah: Recent Studies on the Deuteronomistic History* (ed. G.N. Knoppers and J.G. McConville; SBTS 8; Winona Lake, Ind.: Eisenbrauns, 2000), 204–239, here 214–220.

[50] SMEND, "Gesetz und die Völker" (see n. 43). This observation was instrumental in Smend's proposal to distinguish two Dtr layers within the Deuteronomistic History, DtrH, to which Smend assigns Josh 21:43–45 and Josh 24, and DtrN, to which he assigns Josh 23.

[51] NELSON, *Joshua* (see n. 20), 259.

[52] This reconstruction was already argued by SMEND, "Gesetz und die Völker" (see n. 43), 501–503. See further, e.g., A.D.H. MAYES, *The Story of Israel between Settlement and Exile: A Redactional Study of the Deuteronomistic History* (London: SCM Press, 1983), 48; O'BRIEN, *Deuteronomistic History Hypothesis* (see n. 26), 75–77; BECKER, *Richterzeit und Königtum* (see n. 16), 68; BLUM, "Kompositionelle Knoten" (see n. 26), esp. 182–184.

God has given you").[53] Third, and last, the transition between Josh 21:43–45 (with either Josh 24:29 or Judg 2:8) and Judg 2:11–3:6 is somewhat abrupt, in particular because the key topic of Israel's worshiping deities other than YHWH was entirely absent so far from the previous narrative in Joshua.

To put these observations into perspective, a further remark needs to be made. The two themes that are now combined in the final form of Josh 23 – namely, the worship of YHWH alone and the imitation of the other nations around Israel – are also present in the opening section of the story of the judges, Judg 2:11–3:6. However, and contrary to what Noth still assumed, it has long been observed that Judg 2:11–3:6 is not of one piece and that the reference to the nations left inside the land in 2:20–3:6 is obviously a later addition.[54] The first Dtr layer in this passage was therefore restricted to Judg 2:11–19* (presumably Judg 2:11–12aαβ, 14–16, 18–19)[55] and was exclusively concerned with the worship of deities other than YHWH.[56] Combining this finding with the remark made above regarding the evidence for a complex compositional history in Josh 23, R.G. Kratz has suggested that the original version of Joshua's final speech was likewise focused on the worship of other deities, as in the first Dtr layer in Judg 2:11–3:6, and did not (yet) know the issue of the nations left inside the land, which openly contradicts Josh 21:43–45. Kratz suggests identifying this first version of Joshua's speech in Josh 23:1b–3 and

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[53] Compare, e.g., E. AURELIUS, *Zukunft jenseits des Gerichts: Eine redaktionsgeschichtliche Studie zum Enneateuch* (BZAW 319; Berlin: de Gruyter, 2003), 173. A similar statement is repeated at the end of v. 16. However, v. 16b is missing from the LXX and is probably a late gloss anyway. For the composite character of Josh 23, see also the observations by K. LATVUS, *God, Anger and Ideology: The Anger of God in Joshua and Judges in Relation to Deuteronomy and the Priestly Writings* (JSOTSup 279; Sheffield: Sheffield Academic Press, 1998), 31–33; as well as R. ACHENBACH, *Die Vollendung der Tora: Studien zur Redaktionsgeschichte des Numeribuches im Kontext von Hexateuch und Pentateuch* (BZAR 3; Wiesbaden: Harrassowitz Verlag, 2003), 581–582. The literary unity of Josh 23 has recently been restated by GROSS, "Richterbuch" (see n. 10), 189. However, his arguments in favor of regarding ch. 23 as a coherent composition are hardly compelling.

[54] See, among many others, MAYES, *Story of Israel* (see n. 52), 68; O'BRIEN, *Deuteronomistic History Hypothesis* (see n. 26), 82–88, esp. 86–88. Most recently, see W. GROSS, *Richter* (HTKAT; Freiburg: Herder, 2009), 182–195. The reference to the nations left inside the land is not yet presupposed in 2:11–19, and v. 20 is a clear *Wiederaufnahme* of 2:14. There appears to be some scholarly consensus on this issue, even though the reconstructions of the literary history of Judg 2:11–3:6 evince some variations.

[55] For a similar reconstruction, cf. GROSS, *Richter* (see n. 54), 185–187. V. 13 interrupts the transition between vv. 12 and 14, and takes up the statements already found in vv. 11b and 12a. V. 17 introduces a portrait of the judges that is not typically Dtr (O'BRIEN, *Deuteronomistic History Hypothesis* [see n. 26], 86); neither is the emphasis on the observance of the commands by the "fathers" in this verse.

[56] There is evidence that the compositional history of Judg 2:11–3:6 was even more complex. However, this issue is not relevant for the present study and can be left aside.

24:14–22* (namely, 24:14a, 15–16, 18b, 22).[57] The conflation of the topic of worship of other deities with that of the nations left inside the land in the present form of Josh 23 would result from the later alignment of Joshua's speech with the conception introduced in Judg 2:20–3:6. While there is something to be said for this idea, the reconstruction offered by Kratz does not seem to me very likely. The dissociation, within Josh 24, of the historical retrospect in vv. 2–13 from the following exhortation in vv. 14–24, although possible in principle, looks rather artificial.[58] Above all, the warning against the worship of deities other than YHWH (אלהים אחרים) in 24:14–24 is considerably more developed than in Josh 23 (cf. 23:11, 16). It seems much easier to explain Josh 24:14–24 as an amplification of this theme in Josh 23, rather than the other way round. Lastly, there is one further difficulty with the isolation of Josh 23:1–3 from the rest of the chapter. As noted above, v. 1 already takes up Josh 21:43–45, like vv. 14–16 (see 23:1a and 21:44); most likely, this material, which builds a frame around Josh 23 by means of the reception of Josh 21:43–45, belongs to the same layer. Since Kratz wants to omit vv. 14–16 from the original layer of ch. 23, he is forced to omit v. 1a as well. However, the separation between v. 1a and v. 1b is unwarranted, and from the syntax v. 1b can hardly have formed the beginning of a new unit. Besides, why should we imagine that a *later* scribe revised Josh 23* in order to align it with 21:43–45, even though (as Kratz admits) ch. 23 stood immediately after 21:43–45 from the beginning?

A more compelling solution, it seems to me, was put forward by T. Römer in an article from 2006.[59] Contrary to Kratz, Römer argues that the verses in Josh 23 evincing parallels with Josh 21:43–45 form the basic layer in that

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[57] R.G. KRATZ, *Die Komposition der erzählenden Bücher des Alten Testaments: Grundwissen der Bibelkritik* (UTB 2157; Göttingen: Vandenhoeck & Ruprecht, 2000), 206–207. This solution was followed by AURELIUS, *Zukunft Jenseits des Gerichts* (see n. 53), 172–173.

[58] Like all the scholars who have sought to dissociate the historical retrospective in vv. 2–13 from the ensuing exhortation in vv. 14–24 in order to reconstruct an earlier and more "Deuteronomistic" form of Josh 24, Kratz is faced with the problem that there are some cross-references between the two parts of that chapter. The end of v. 15a, "either the gods which your ancestors served beyond the Euphrates or the gods of the Amorites in whose land you live," clearly refers back to the beginning of the historical retrospect in 24:2: "From of old, your ancestors, Terah the father of Abraham and Nahor, lived beyond the Euphrates and served other gods" (here my translation follows NELSON, *Joshua* [see n. 20], 262). To omit this sentence is of course possible (see, e.g., AURELIUS, *Zukunft jenseits des Gerichts* [see n. 53], 174), but not required by the text itself.

[59] RÖMER, "Doppelte Ende" (see n. 9), 530–535. See also IDEM, *So-Called Deuteronomistic History* (see n. 9), 117. This proposition has now been adopted, with some small changes, by E. BLUM, "Das exilische deuteronomistische Geschichtswerk," in *Das deuteronomistische Geschichtswerk* (ed. H.-J. Stipp; ÖBS 39; Frankfurt am Main: Peter Lang, 2011), 287–288 with n. 70.

chapter, which he identifies as 23:1–3, 9, 11, 14–16 (the inclusion of v. 9 and 16b is disputable in my opinion).[60] The base layer in Josh 23 could thus be reconstructed as follows:

> Many days afterward, when YHWH had given rest to Israel from all their surrounding enemies and Joshua had reached old age, Joshua summoned all Israel, their elders, their heads, their judges and their officers. He said to them: "I have reached old age. You have seen all that YHWH your God (OG: our God) has done to all these nations on your account, for it is YHWH your God who fights for you. […] Be very careful about yourselves to love YHWH your God. […] Today, I am going the way of all the earth. You know with all your heart and being that not one of the good things that YHWH your God promised concerning you has failed. They all were fulfilled for you. Not one word has failed. Yet just as every good thing that YHWH your God promised about you has been fulfilled for you, so too YHWH could bring against you every bad thing until he has destroyed you from this good land that YHWH your God has given you, if you violate the covenant of YHWH your God, which he commanded you, and go and serve other gods and worship them. (Josh 23:1–3, 11, 14–16a*)

This material ignores the theme of the nations left inside the land, which is introduced in other parts of the chapter. Instead, Josh 23:1 opens with a reassertion of the statement of 21:43 that YHWH had given rest to Israel from "all their surrounding enemies" (contrast with Josh 23:4–5, 7–8, 12–13). Joshua's speech in ch. 23 builds upon the summary of Josh 21:43–45 in order to address the people with a basic exhortation consisting of the following alternative, typical of the Dtr literature: they must "love" YHWH alone (23:11), which is an obvious reference to the *šᵉmaʿ* of Deut 6:4–5;[61] therefore, in order to accomplish this, they must not worship other deities (23:16a). As such, v. 16a offers a fine transition with the Dtr account of Judges following Joshua's

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[60] RÖMER is certainly correct that vv. 1–3 and 14–16 are part of this basic layer. Vv. 4–5, 7–10 introduce the concept of the nations remaining inside the land, which contradicts the opening statement in Josh 23:1. This topic is pursued in vv. 12–13. By contrast, v. 11 seems misplaced in the present arrangement of Josh 23 but is consistent with the theme of vv. 14–16 (see below). Its assignment to the basic layer of Josh 23 is thus justified. By contrast, the separation of v. 9 from vv. 7–8, 10 seems artificial. Römer's argument regarding the use of the past tense in this verse ("Doppelte Ende" [see n. 9], 531, following a former observation by LATVUS, *God, Anger and Ideology* [see n. 53], 31) is misguided, since the Hebrew form ויורש can also take a future sense in this syntactical construction. BLUM, "Exilische deuteronomistische Geschichtswerk" (see n. 59), 287–288 n. 70, rightly omits v. 9, but tentatively suggests retaining v. 6. However, this is certainly not correct. Josh 23:6 refers back to Josh 1:7–8, which is probably one of the latest additions to Josh. V. 16b is missing from the LXX and is probably not original (with Blum).

[61] The combination of the words נפש and אהב את יהוה אלהיכם in v. 11 is unmistakably reminiscent of Deut 6:5. This point is emphasized, e.g., by RÖMER, "Doppelte Ende" (see n. 9), 532, who notes in addition that the language of v. 14, where Joshua affirms to Israel: "You know with all your heart (בכל־לבבכם) and all your being (ובכל־נפשכם) that not one of all the good things that YHWH your God spoke has failed," is likewise reminiscent of Deut 6:5.

death, in Judg 2:11–19*. The parallel is even more obvious in Josh 23:16b, which mentions the "breaking out" of YHWH's wrath against Israel in case they would serve other deities, exactly as it is reported in Judg 2:14. Even though Josh 23:16b, which is absent in the Old Greek, is probably a late addition, the scribe who inserted it was still aware of the close connection between Josh 23 and Judg 2:11–19.[62]

Summing up: Contrary to what has been argued by some critics, the summary of the conquest in Josh 21:43–45 never formed the conclusion of a Dtr edition of the conquest narrative in Joshua. Rather, this summary was followed from the beginning by a first version of Joshua's speech in Josh 23:1–3, 11, 14–16a, which prepared for the first Dtr introduction to the period of the judges (Judg 2:11–19*). The transition between the two periods (conquest and judges) was realized by means of a brief notice on Joshua's death and the passing of the generation of the conquest, which is probably preserved in Judg 2:7–10.[63] This means that Josh 21:43–45 was part of a Dtr redaction that al-

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[62] A different solution was proposed by U. BECKER, "Endredaktionelle Kontextvernetzungen des Josua-Buches," in *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur "Deuteronomismus"-Diskussion in Tora und Vorderen Propheten* (ed. M. Witte *et al.*; BZAW 365; Berlin: de Gruyter, 2006), 139–161. Becker rightly acknowledges that the basic layer of Josh 23 cannot be reduced to Josh 23:1–3 (against Kratz) and that it must have included vv. 14–16a. But, similarly to Kratz, he regards this basic layer as introducing the original version of Joshua's final speech in Josh 24:14–24*, which he identifies in v. 14a, 15*, 16a, 18b, 22 (this reconstruction is very similar to Kratz's). For Becker, however, Josh 23* does not belong to the same layer as Josh 24* but was added at a later stage, as a kind of transition between Josh 21:43–45 and Josh 24*. Apart from the issues raised by the reconstruction of an earlier layer in Josh 24* consisting of only a few verses, the reason why the need for some sort of transition between Josh 21 and 24 was felt only at a later stage remains unclear.

[63] For a recent restatement of the literary unity of Judg 2:7–10 and its attribution to the same Dtr redaction as Judg 2:11–19*, see, e.g., GROSS, *Richter* (see n. 54), 184. The majority view that Judg 2:7–10 is probably older than the parallel notice in Josh 24:28–31 is probably correct, especially in light of the fact that the statement in Judg 2:10 mentioning the rise of a new generation that did not know YHWH and his work (probably a reference to Deut 11:7) has no equivalent in Josh 24:28–31. This statement prepares for the following Dtr summary in Judg 2:11–19 by introducing the change of generation in Israel. Its absence from Josh 24 is best explained, in my view, if Josh 24:28–31 is a later addition based on Judg 2:6–10, which was inserted in order to close the book of Joshua with a notice on the death of the main character (as with Moses in Deut 34). In this context, it was not appropriate to address the issue of the passing away of the generation of the conquest – which is the issue of the book of Judg, not of Josh – and the omission of this statement made it possible to close the book of Josh with a positive assessment of the period of the conquest. For the priority of Judg 2:(6)7–10 vis-à-vis Josh 24:28–31, see, e.g., D. JERICKE, "Josuas Tod und Josuas Grab: Eine redaktionsgeschichtliche Studie," *ZAW* 108 (1996), 347–361; and most recently GROSS, *Richter* (see n. 54), 184. The case of v. 6 is more complex. The statement that Joshua "sent the Israelites away to each one's hereditary property" in order to "take possession of the land" (לרשת את־

ready included Deuteronomy (with Moses's opening speech in Deut 1–3*), Joshua (Josh 1–23*), Judges (Judg 2–16*), and Samuel–Kings.[64] In the complex narrative thus created, the alternative between the worship of YHWH alone and the worship of other deities that is introduced in Joshua's final speech (Josh 23:14–16) immediately after the summary of the conquest in 21:43–45 serves to explain why the building of the central place of worship, which according to Deut 12:8–12 should have followed the conquest, was *not* realized until the reign of Solomon (1 Kgs 8:56, taking up both Deut 12:8–12 and Josh 21:43–45). The reason given is that immediately after Joshua's death and the passing away of the generation of the conquest, the people worshipped deities other than YHWH (Judg 2:11–19*, in connection with Josh 23*, which itself refers to Deut 6:4–5). In this way, the key themes of cult centralization, conquest of the land, and worship of YHWH alone (monolatry) are now combined within a sophisticated historical scheme. Does this mean that we are back to Noth's theory of a "Deuteronomistic History" in Deuteronomy–Kings? In order to answer this question, we need to consider more closely the relationship between Josh 21 and other possible (earlier) endings within the book of Joshua.[65]

4. Joshua, Deuteronomy, and the Exodus

Contrary to what Lohfink and others have assumed, Josh 21:43–45 is *not* the most ancient conclusion to the Dtr account of the conquest in Joshua. As Noth had already observed, a former conclusion to the conquest account can al-

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הארץ) is surprising and seems to contradict Josh 21:43. The last phrase is missing in Josh 24:28. It is also missing from the Codex Vaticanus (G^B) of Judg 2:6; however, this could be the result of editorial alignment of Judg 2:6 with Josh 24:28. Either the phrase לרשת אתּ־הארץ is a later addition in Judg 2:6 (and in this case the rest of the verse could belong to the same layer as 2:7–10), or Judg 2:6 as a whole is a later addition based on (and expanding) Josh 24:28.

[64] It has long been acknowledged that Judg 13–16 (the Samson story); 17–18; and 19–21 (which form a frame around the book of Judg with the post-Dtr account of Judg 1) are not Dtr but part of a later addition to the Dtr edition(s) of Judg. See already NOTH, *Deuteronomistic History* (see n. 1), 52–53; more recently RÖMER, *So-Called Deuteronomistic History* (see n. 9), 138. Others, such as GROSS, *Richter* (see n. 54), 647–660, include the Samson story in the main Dtr edition of Judg, but the arguments for this are disputable in my view.

[65] The issue raised by the manifold endings in Josh was already addressed in particular by E.A. KNAUF, "Buchschlüsse in Josua," in *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque* (ed. T. Römer and K. Schmid; BETL 203; Leuven: Peeters/LeuvenUniversity Press, 2007), 217–224. My own (briefer) discussion basically agrees with his chronological arrangement of Josh 10:40–43; 11:16–23; and 21:43–45, but not with the relative dating that he proposes for some of these texts.

ready be found in Josh 11:23.[66] The final comment in v. 23 takes up the beginning of v. 16 ("Joshua took the entire land") and, like 21:43–45, already emphasizes the fact that the conquest came to an end under Joshua's leadership.[67]

> Joshua took the entire land according to all that YHWH spoke to Moses. And Joshua gave it to Israel as hereditary property (נחלה) (according to their allotment by their tribes). And the land had rest from war. (Josh 11:23)[68]

The secondary character of Josh 21:43–45 vis-à-vis 11:23 is all the more obvious when we observe that the second conclusion, in Josh 11, already ends with a reference to the "rest" from war, which, however, does not use the נוח-terminology characteristic of Josh 21:43–45 and the related passages in Deuteronomy (Deut 1:8; 10:11; 12:10; 25:19) but resorts to an entirely different language: והארץ שקטה ממלחמה. Still, the reference to the taking of the land "according to all that YHWH spoke to Moses" presupposes that some sort of connection between the conquest account in Josh 1–11* and the book of Deuteronomy already exists.[69] Building on this observation, W. Gross recently suggested that Josh 11:23 initially formed the conclusion to a Dtr collection restricted to Deuteronomy–Joshua*, which would then have been joined with

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[66] NOTH, *Deuteronomistic History* (see n. 1), 38–41, esp. 40. Further on this, see, e.g., KRATZ, *Komposition* (see n. 57), 205; KNAUF, "Buchschlüsse in Josua" (see n. 65), 220–221.

[67] The composition of Josh 11:16–23 is a much-debated issue that cannot be discussed here in detail. The conclusion in v. 23 presupposes at least v. 16; v. 17 might be original as well, although this is more difficult to decide. Vv. 18–20 present a further summary of Joshua's wars in Josh 11 that insists on the duration of the war and, above all, on the fact that the kings refused to surrender because YHWH hardened their hearts (v. 20). This is not a Dtr motif, but is more typical of the Priestly tradition; cf. Exod 7:13, 22; 8:15; 9:35. The whole passage is therefore probably a late addition. The notice reporting the war against the Anakim in 11:21–22 is introduced somewhat abruptly ("at that time" cannot be correlated to a specific indication of time in the previous narrative) and is also usually regarded as a later insert.

[68] Translation adapted from NELSON, *Joshua* (see n. 20), 150. The phrase כמחלקתם in this verse raises an issue, insofar as this language occurs otherwise in Josh 12:7 and 18:10 (as well as in several passages of 1–2 Chr). It could, therefore, be a later addition to this verse, the purpose of which would have been to align the reference to Joshua's division of the land into hereditary properties with the conception laid out in Josh 12 and 13–19. Otherwise, the use of the term נחלה in Josh 11:23 evidently refers to the command given to Joshua in Josh 1:6. It does not indicate that Josh 11:23 already presupposes the division of the land in chs. 13–19 (*pace* FRITZ, *Josua* [see n. 15], 126).

[69] As is rightly observed by a majority of commentators. RÖMER, *So-Called Deuteronomistic History* (see n. 9), 90, considers the possibility that Josh 11:23 once formed the conclusion of a Dtr edition of Josh that was still transmitted separately from Deut. However, it is not clear whether he considers the phrase "according to all that YHWH spoke to Moses" original to this verse (in Römer's quotation of 11:23, this passage is replaced with an ellipsis), and in any event he does not discuss this issue further. I see no evidence for regarding this phrase as secondary in Josh 11:23.

Samuel–Kings* by means of the Dtr edition of Judges, thus rehabilitating *de facto* Lohfink's DtrL hypothesis, albeit in a different form.[70] The main problem with this suggestion is that, contrary to the case in Josh 21:43–45, there is no clear signal in Josh 11:23 referring back to Deuteronomy. Apart from the loose reference to YHWH's words to Moses, the language used in that verse is not typical of the passages dealing with the conquest of the land in Deuteronomy. The phrase ויתן יהושע לנחלה לישראל corresponds to Josh 1:6, and the reference to the conquest with the construct ארץ + לקח has no equivalent in Deuteronomy; the same is true for the expression used in the final statement of v. 23b, והארץ שקטה ממלחמה. It therefore seems dubious that Josh 11:(16–)23 was ever composed as the grand finale of a Dtr account of the conquest in Deut 1–Josh 11*.

This issue can be further elucidated when it is observed that even Josh 11:23 is probably not the earliest ending of the conquest that can be identified within the Joshua narrative. As observed by E.A. Knauf, a former conclusion to the account of the conquest can be found in Josh 10:40–42 (10:40a, 41a*, 42), which already refers to the conquest of the "entire land."[71]

> So Joshua struck the whole land, the hill country, the Negeb, the lowlands, the slopes, and all their kings, from Kadesh-Barnea to Gibeon. All these kings and their land Joshua captured at one time, for YHWH, the God of Israel, fought for Israel. (Josh 10:40a, 41a*, 42)[72]

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[70] GROSS, "Richterbuch" (see n. 10), 183–190. KNAUF, "Buchschlüsse in Josua" (see n. 65), 220, identifies Josh 11:16–23 (more exactly, 11:15–23*) as the conclusion of a "Hexateuchal" redaction in Exod–Josh composed in the Persian period by the "D" school and already influenced by P; compare also IDEM, *Josua* (see n. 21), 116–119. Although Knauf is correct in replacing Josh 11 in the horizon of a narrative starting in Exod, rather than in Deut (see below), his relative dating seems difficult to accept. I can see no evidence for a post-Dtr and post-Priestly dating in the material that he regards as the basic layer in Josh 11:16–23. Contrast, e.g., KRATZ, *Komposition* (see n. 57), 204, and *passim*, who assigns Josh 11:16–23* to a Dtr "Grundschicht" (basic layer) within Joshua.

[71] See KNAUF, "Buchschlüsse in Josua" (see n. 65), 218–219; IDEM, *Josua* (see n. 21), 109–110. That Josh 10:40–43 functions as a summary of the conquest has often been noted by commentators; compare, e.g., NELSON, *Josua* (see n. 20), 148. Surprisingly, however, the issue of the relationship between the summaries of Josh 10:40–43 and 11:16–23 was seldom discussed.

[72] There are indications that this passage has been reworked during the transmission of the book of Josh, which seems logical if at one point it formed the conclusion of an earlier form of the narrative of the conquest. V. 43 is missing in the OG of Josh and is very likely a late addition. V. 40aβ, b was apparently introduced by the resumptive repetition of v. 40aα in 41aα; this repetition was needed because the content of v. 40aβ, b evidently interrupts the transition between the enumeration in vv. 40aα and 41. The interpolated material stresses the conformity of Joshua's campaign with the stipulations contained in Deut 20:16–18 and must therefore be viewed as a later Dtr gloss. Finally, some of the places mentioned in v. 41 are

The summary in vv. 40–41* corresponds to the extent of the land conquered in Josh 6–10*, the earliest form of the conquest account in Joshua: namely, the territory consisting of Judah and Benjamin, the limits of which are formed by Kadesh-Barnea, in the south, and Gibeon, in the north.[73] As observed by Knauf, this territory, which is presented as comprising the "entire land," probably corresponds to the territory of the kingdom of Judah toward the end of the seventh century B.C.E.[74] By contrast, the following summary of the conquest in Josh 11:16–23 follows the description of another campaign (Josh 11:1–15), this time much further in the north, up to Hazor.[75] This later supplement looks, therefore, like an attempt to enlarge the promised land from the sole territory of Judah and Benjamin to the dimensions of a "greater Israel" extending from Debir and Hebron in the south (Josh 10:28–39) to Hazor in the north (Josh 11:1–15); the latter description corresponds more or less to

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also unlikely to be original; for this, see in particular the remarks by KNAUF, *Josua* (see n. 21), 110. The "land of Goshen" does not correspond to any identifiable place but may result from the combination of the town Goshen in 15:51 with the "land of Goshen" mentioned as one of Israel's settlements in Egypt (e.g., Exod 9:26). If so, as Knauf nicely observes, this gloss combines the exodus and conquest traditions in its own way. The mention of Gaza introduces a western border, although no corresponding eastern border is given; it may also be a later gloss, although this is less certain.

[73] Josh 6–10 describes a military campaign that starts with the capture of Jericho (Josh 6), then continues with the main cities of Benjamin (Ai and Gibeon), and concludes with the settlements in the south (Josh 10:28–38), until Hebron and Debir.

Whether or not the list of 10:28–39 was part of the original narrative is disputed. Some commentators observe that the statement in 10:42, according to which Joshua's victory occurred "at one time" (פעם), seems to make better sense after the story of the battle at Gibeon in 10:1–15 (cf. the conclusion in v. 14). However, the reference in 10:42 to Joshua's victory over "all these kings *and their lands*" does not follow well after 10:1–15, or even 10:16–27; it seems to make better sense after the list of 10:28–39, or at least an earlier form of that list. The constant reference to the חרם in 10:28–39 does not need to presuppose the law of Deut 20:16–20 (*pace* KNAUF, *Josua* [see n. 21], 105). The language used is distinct (cf., e.g., the expression לא השאיר שריד, "he left no survivors," Josh 10:28, 30 [33], 37, 39), and no reference is made to the prescription of Deut 20 (contrast Josh 10:40b, and see above, n. 72).

[74] KNAUF, *Josua* (see n. 21), 109: "Das 'ganze' bislang eroberte Land besteht aus Benjamin, dem Gebirge Juda, dem Negeb, der Schefela (dem Hügelland) und den 'Abhängen' (zum Totenmeer oder zum Hügelland?), also dem Territorium des Königreichs Juda am Ende des 7. Jh. V.Chr. Dies und nicht mehr umfasst das 'Verheissene Land' als Ziel des Exodus in seiner ältesten judäischen Rezeption."

[75] Note, in addition, that the account of the conquest of Hazor in Josh 11:1–15 is followed in 11:16–17 by a summary statement that takes up the main elements of the earlier notice in 10:40–41 (including the reference to the "land of Goshen," see above, n. 72), and combines them with elements taken from Josh 11:1–3. Here, therefore, we can see how the extension of Joshua's conquest to the north by means of the addition of Josh 11:1–15 prompted the need for a new summary of the conquest, which takes up and amplifies the former summary in 10:40–42*.

the territory of the kingdoms of Israel and Judah during the monarchic period.[76] This development is consistent with Dtr ideology, in which the promised land usually consists of the territories of Judah and *Israel*, not of Judah and Benjamin, as in the earliest form of the conquest account (Josh 6–10*). Furthermore, the addition of Josh 11 offered an opportunity to describe the conquest of Hazor (Josh 11:10–15) in a language that conforms entirely to the "ban" (חרם) ideology laid out in Deut 20:16–20.[77]

Contrary to Josh 11:16–23, the first summary of the conquest in Josh 10:40–43* does *not* contain any reference to Deuteronomy. On the other hand, however, the language of this passage, with the phrase כי יהוה אלהי ישראל נלחם לישראל, appears to combine Josh 10:14 (the conclusion of the battle at Gibeon) with two key passages in the tradition of the crossing of the Sea of Reeds in Exod 14* (see 14:14, 25).[78] Other references to the exodus tradition can be identified elsewhere in Josh 6–10*.[79] This may simply point to the fact that the scribes who composed the earliest version of the conquest account in Joshua were familiar with the exodus tradition. However, it seems more likely that this observation indicates that there was some sort of literary connection between those two traditions at the time when the earliest form of Joshua was composed. Several scholars have identified an ancient story about

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[76] RÖMER, *So-Called Deuteronomistic History* (see n. 9), 136, considers the extension of the conquest of Joshua from the territory of Judah and Benjamin to a territory corresponding to the two former kingdoms of Israel and Judah to reflect the concerns of the Dtr scribes of the sixth century.

[77] Several commentators have argued that the conception of "sacral war" as it is developed in Deut 20, including the prescription for the חרם in vv. 16–20, was not part of the earliest Deuteronomic code (presumably from the seventh century B.C.E.) but is a later addition connected with a first revision of that code during the sixth century; compare, e.g., M. ROSE, *5. Mose: Teilband 1: 5. Mose 12–25; Einführung und Gesetze* (ZBK 5; Zürich: Theologischer Verlag, 1994), 236–252; E. OTTO, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin: de Gruyter, 1999), 229–231, 232–233. This finding fits well with the dating and the social-historical context argued here for the addition of Josh 11.

[78] Otherwise, this language is only found in two passages of Deut, Deut 1:30 and 3:22, as well as in Josh 23:10. All those passages are probably later.

[79] E.g., in Josh 10:2 the statement that those who heard of Israel's capture of Ai were "exceedingly afraid" (with the phrase ויראו מאד) can be viewed as a reference to the reaction of the Israelites at the crossing of the sea in Exod 14:10. The reference is all the more likely in that the use of the plural in the context of Josh 10:2 is a little awkward syntactically, because the subject of the previous verse was the king of Jerusalem, Adoni-zedeq; interestingly, the plural form, which is attested by both MT and the OG, was corrected to a singular ("he was exceedingly afraid") in other versions (see *BHS*). KNAUF, *Josua* (see n. 21), 98–101, lists a few additional parallels that seem to indicate that the story of the battle at Gibeon in Josh 10:1–15 was composed by a scribe who considered the tradition of the crossing of the sea to be part of the background of the conquest narrative.

Moses and the exodus dating from the Neo-Assyrian period (eighth or seventh century).[80] Like the conquest accounts in Josh 6–10, this story presents several parallels with the Assyrian literature, especially the Legend of Sargon, as well as one account from Esarhaddon (681–669 B.C.E.).[81] As K. Schmid and others have argued, it is difficult to imagine that this early "Moses-Exodus" story from the Neo-Assyrian period did not report the entrance into the land.[82] At the very least, it seems logical to assume that when the first draft of the conquest account in Josh 6–10* was composed in the seventh century (presumably under the reign of Josiah; see above), it was attached to this "Moses-Exodus" story, thus forming a comprehensive narrative of the exodus and the conquest. As pointed out by some authors, this conclusion seems to be supported by the notices of Josh 2:1 and 3:1, according to which Israel was staying in Shittim before the crossing of the Jordan reported in chs. 3–4. This topographical notice makes sense neither in the context of Joshua alone, nor in the context of a collection comprising Deuteronomy and Joshua, but seems instead to presuppose the previous notice in Num 25:1.[83]

Overall, therefore, there is something to be said for the view that the earliest form of the conquest account in Joshua (especially Josh 6–10*) was part of a broader narrative recounting the exodus, the sojourn in the wilderness, and the conquest of the land that ended in Josh 10:40–42*. This narrative was composed during the seventh century B.C.E., probably under the reign of Josiah. The composition of this document points to a stage when Judah was in the process of appropriating the title of "Israel" after the fall of Samaria and the end of the northern kingdom in 722 B.C.E. By identifying the territory conquered by Joshua at the end of the exodus with the territory controlled by Ju-

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[80] BLUM, *Studien* (see n. 44), 216–218, and *passim*; SCHMID, *Erzväter und Exodus* (see n. 44), 129–165; E. OTTO, "Mose und das Gesetz: Die Mose-Figur als Gegenentwurf Politischer Theologie zur neuassyrischen Königsideologie im 7. Jh. V. Chr.," in *Mose: Ägypten und das Alte Testament* (ed. E. Otto; SBS 189; Stuttgart: Katholisches Bibelwerk, 2000), 43–83.

[81] OTTO, "Mose und das Gesetz" (see n. 80), 47–67; M. GERHARDS, *Die Aussetzungsgeschichte des Mose: Literar- und traditionsgeschichtliche Untersuchungen zu einem Schlüsseltext des nichtpriesterlichen Tetrateuch* (WMANT 109; Neukirchen-Vluyn: Neukirchener, 2006), 149–240; see also BIEBERSTEIN, "Buch Josua" (see n. 27), 159.

[82] SCHMID, *Erzväter und Exodus* (see n. 44), 129–165, esp. 134–138; similarly KNAUF, *Josua* (see n. 21), 17: "Eine Geschichte vom 'Auszug aus Ägypten' ist undenkbar ohne ihren Abschluss mit einem 'Einzug in Kanaan.'"

[83] KRATZ, *Komposition* (see n. 57), 208 n. 109; IDEM, "Der vor- und der nachpriesterschriftliche Hexateuch," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion* (ed. J.C. Gertz *et al.*; BZAW 315; Berlin: de Gruyter, 2002), 295–323, here 316–322; most recently BIEBERSTEIN, "Buch Josua" (see n. 27), 154–160. The doublet between Josh 2:1 and 3:1 should most probably be explained by the fact that the story of ch. 2 was inserted at a late, post-Dtr stage between Josh 1 and 3–4.

dah at the end of the seventh century,[84] the authors of the Exodus–Joshua* narrative were able to claim that the state of Judah under Josiah's reign represented "Israel" and was the legitimate heir to the traditions associated with that name, such as, especially, the exodus and the conquest. At that point, these traditions did not yet form discrete "books" but were associated with figures of authority (Moses and Joshua) within a comprehensive narrative, which was most likely preserved on a single scroll.

What, then, of Deuteronomy and of its specific relationship with Joshua in the canon of the Hebrew Bible? The conclusions that have been reached here make it possible to sketch a picture of the literary and historical process through which Deuteronomy gradually came to be associated with the traditions about the exodus and the conquest, with which this essay will conclude.

5. Deuteronomy and Joshua: A Reassessment

As observed above, there is no indication that this Exodus–Joshua* narrative already included the legislation now preserved in Deuteronomy. As argued by Kratz and others, it seems more likely that a version of Deuteronomy was included only at a later stage, during the sixth century B.C.E.[85] Against Kratz, however, this does *not* mean that Deuteronomy was composed for its present literary context. Rather, Deuteronomy initially constituted a discrete document, likewise probably originating in the seventh century B.C.E., which was transmitted separately from the Exodus–Joshua* narrative and only gradually incorporated into the latter. Although this can no longer be reconstructed in detail, a close examination of the successive conclusions to the account of the conquest in Joshua suggests that some of its main stages can still be traced.

(1) A first stage appears to be reflected in Josh 11. Whereas the original conclusion to the conquest account in Joshua – and, therefore, to the preexilic Exodus–Joshua narrative – is preserved in Josh 10:40–42, the integration of Deuteronomy into this narrative led to the addition of further material in Josh 11. In this chapter, Israel's conquest under Joshua is not only extended to the north, up to Hazor, but the account emphasizes the fact that the conquest was

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[84] As was long observed, it is very likely that there is some sort of wordplay between the names of "Joshua" and "Josiah." Compare, e.g., R. NELSON, "Josiah in the Book of Joshua," *JBL* 100 (1981), 531–540.

[85] KRATZ, "Vor- und nachpriesterschriftliche Hexateuch" (see n. 83); J.C. GERTZ, "Kompositorische Funktion und literarhistorischer Ort von Deuteronomium 1–3," in *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektiven zur "Deuteronomismus"-Diskussion in Tora und Vorderen Propheten* (ed. M. Witte *et al.*; BZAW 365; Berlin: de Gruyter, 2006), 103–123, here 104–105.

accomplished according to the stipulations of Deut 20:16–18 (see Josh 11:12–15).[86] Likewise, the new conclusion in 11:16–23* appears to refer to Deuteronomy, since it emphasizes that the conquest was accomplished "according to all that YHWH had spoken to Moses." Here, therefore, we find for the first time the idea that the *torah* of Moses forms the basis for assessing the following history – a notion that will come to play an increasingly central role in the development of the Law and the Prophets as authoritative collections during the Second Temple period. At this stage, however, Moses's *torah* consisted of Deuteronomy alone, and the history following Moses's death comprised first and foremost the conquest of the land reported in Josh 1–11*; as pointed out above, there is no clear indication of a connection between Josh 11 and the following traditions about judges and kings.[87] Accordingly, the redactional attempt made by the Dtr scribes to align the conquest traditions in Joshua with Deuteronomy logically focused on the חרם and the stipulations of Deut 20:16–18.

(2) It is only at a later stage, when a new conclusion to the narrative of the conquest was added in Josh 21:43–45, together with 23:1–3, 11, 14–16a, that a literary connection was explicitly established between the narrative in Exodus–Joshua*, on one hand, and the traditions preserved in Judges and Samuel–Kings, on the other. This connection was established through a network of cross-references that is itself predicated upon key passages of Deuteronomy. By means of the combined reception of Deut 1:6–8 and Deut 12:8–12, the summary of Josh 21:43–45 asserts that the promise that YHWH would give the land to the Israelites, for them to take possession of it and have rest from their enemies (Deut 1:8; 12:10), has been fulfilled. At the same time, it prepares for the account of the building of the temple under Solomon's reign (1 Kgs 8:56,

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[86] Josh 11:12 already states that the ban was carried "just as Moses the servant of YHWH had commanded" (v. 12b), which can only be a reference to Deut 20:16–18. Likewise, the concluding statement in Josh 11:14b that no living creature (נשמה, lit. "breath") was left corresponds to the prescription in Deut 20:16 (also with נשמה). Whether Josh 11:15 belongs to the same layer or is a later addition may be left open here. Presumably, the redaction responsible for Josh 11:12–14(15) also introduced Josh 10:40b (see above, n. 72).

[87] KRATZ, *Komposition* (see n. 57), 198–199, 207–208, maintains that Josh 11:16–23* and the earliest Dtr edition of Judg in Judg 2:8–9; 3:7ff. belong to the same layer, which is united by the topic of the "rest" of the land, with שקט. He is followed by BECKER, "Endredaktionelle Kontextvernetzungen" (see n. 62), 151. This solution implies, however, that one must identify a Dtr edition of Judg that did not yet contain the historical summary of Judg 2:11–19*. However, I see no convincing reason for assigning Judg 2:11–19* and 3:7ff. to two different layers; contrast the recent analysis by GROSS, "Richterbuch" (see n. 10), 181–187. Furthermore, as noted by Gross and by KNAUF (*Josua* [see n. 21], 119), the use of the verb שקט is quite different in Josh 11:23 and Judg 3:7ff. The formulation of Josh 11:23 is the result of the conquest and the division of the land by Joshua and seems to refer to a permanent rest for the land, not a temporary one as in Judg 3:11, 30; 5:31; 8:28.

taking up both Deut 12:9 and Josh 21:45), when the central theme of Israel's "rest" inside the land is eventually brought to a close with the establishment of the central place of worship stipulated in Deut 12. Within this elaborated historical scheme, the delay between the end of the conquest and the building of the temple is accounted for by the issue of Israel's worship of deities other than YHWH. This theme is introduced immediately after Josh 21:43–45, in Josh 23:1–3, 11, 14–16, and it is further developed in Judg 2:11–19*, the beginning of the first Dtr edition of Judges. It is based itself on another key stipulation of Deuteronomy, the *šᵉmaʿ* of Deut 6:4–5, which, as noted above, is quoted in Josh 23:11. At this stage, therefore, the notion that Moses' *torah* forms the norm for evaluating the traditions following the death of Moses was now extended beyond the conquest under Joshua to the entirety of Israel's history down to the capture of Jerusalem by the Babylonian army (2 Kgs 25). Accordingly, the alignment of the traditions in Joshua–Kings with Deuteronomy was no longer restricted to the conquest, but was logically extended to other central issues in the stipulations of Deuteronomy, such as especially the worship of YHWH alone (Deut 6) and the centralization of the cult (Deut 12).

This process, however, did *not* minimize or deemphasize the earlier connection between Deuteronomy and Joshua. On the contrary, the narrative associated with the figure of Joshua continued to be viewed as exemplifying the fulfillment of the Mosaic *torah* in Deuteronomy, as the inclusion between Deut 1–3 and Josh 21:43–45 indicates. The careful formulation of the new finale to the conquest account in Josh 21:43–45 appears to indicate the reason why this privileged association with Deuteronomy was preserved even *after* the Joshua narrative was joined with the stories found in Judges, Samuel, and Kings. For the Dtr scribes who lived in the postmonarchic era, the narrative of the conquest in Joshua represented a sort of "golden age," in which observance of the law led to possession of the land and national unity.[88] As such, the combined account of Deuteronomy and Joshua formed together a kind of imaginary paradigm, a "mindscape" as E. Ben Zvi would say, which Judean scribes in the postmonarchic era could use to contrast with other past and present situations, real or fictional. In many ways, this unique association between Deuteronomy and Joshua was never downplayed in the course of the subsequent transmission of the Joshua narrative, but continued to be reinforced. Even in the latest stages of that process, we have evidence for scribal activity that is limited to Deuteronomy and Joshua, as for instance in the case of Deut 27:4–8 and Josh 8:30–35 in the Masoretic Text.[89]

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[88] For this observation, see also, e.g., RÖMER, *So-Called Deuteronomistic History* (see n. 9), 136.

[89] Josh 8:30–35 MT relates the construction by Joshua of an altar on Mount Ebal shortly after the crossing of Jordan, in conformity with the instructions of Moses in Deut 27:4–8 MT.

What this analysis implies, therefore, is that the close relationship between Deuteronomy and Joshua was *not* the starting point of the literary activity of the Dtr scribes, as per Lohfink's DtrL hypothesis, but rather the result of a redactional process, in which the narrative associated with the figure (and the authority) of Joshua came to be more and more aligned with the *torah* of Deuteronomy. This process started with the introduction of the D legislation (Deut 12–26*) into the account of the exodus and the conquest in Exodus–Joshua*, and was further developed when the Exodus–Joshua* narrative was joined to the other ancestral traditions of Israel in Judges and Samuel–Kings in order to form a grand history of origins extending from the exodus to the end of the Judean state. As such, literary devices emphasizing the close relation between Deuteronomy and Joshua, such as, for example, the neat inclusion between Deut 1–3 and Josh 21, do not indicate that those two books were originally part of a discrete literary work, but serve to identify a distinct *period* within a broader historical system placed under the aegis of Deuteronomy, a period that extends from the departure from Mount Horeb (Deut 1:6–8) to the achievement of the conquest (Josh 21:43–45) and that exemplarily illustrates the central role of the Mosaic *torah* for the community defined as "Israel."[90]

The account of Josh 8:30–35 is located elsewhere in the OG (= 9:2a–f), and there is a considerable consensus that it is probably one of the latest additions to the Joshua narrative or, as A.G. Auld finely puts it, "a latecomer looking for a suitable home"; see A.G. AULD, "Reading Joshua after Kings," *in Joshua Retold: Synoptic Perspectives* (Edinburgh: T&T Clark, 1998), 102–112, here 110. The original reading in Deut 27:4–8 was probably not "Ebal" but "Gerizim" (a reference to the Samaritan sanctuary). This is confirmed by the Old Latin (reading *in monte garzin*), as well as by an apparent Qumran fragment of Deut (see CHARLESWORTH, "What Is a Variant?" [see n. 30]). Josh 8:30–35 MT (as well as Josh 9:2a–f LXX), however, presuppose a text for Deut 27 with the reading "Ebal." This means that Josh 8:30–35 must be part of a late, anti-Samaritan revision (possibly from the fourth or third century B.C.E.), which is also responsible for the transformation of "Gerizim" into "Ebal" in the Pentateuch. For a more detailed discussion of this issue, see NIHAN, "Torah between Samaria and Judah" (see n. 4), 217–222.

[90] This observation forms the *particular veri* of Noth's hypothesis of a "Deuteronomistic History," and not the idea that Deut was ever the beginning of a literary composition extending to the books of Kgs. Besides, it has now become obvious that this alignment of the history in Josh–Kgs with the Deuteronomic legislation was not the work of a single scribe, as Noth assumed, but is part of a complex literary and traditio-historical process.

Once again, it needs to be recalled that Noth himself was more than hesitating when he proposed Deut 1–3 as the beginning of this work; cf. NOTH, *Deuteronomistic History* (see n. 1), 12–14. The idea that Deut 1–3 could form the beginning of a literary work has been rightly criticized since, in my view with good arguments. See especially KRATZ, "Vor- und nachpriesterschriftliche Hexateuch" (see n. 83), 309–311; FREVEL, "Deuteronomistisches Geschichtswerk oder Geschichtswerke?" (see n. 2), 86–91 (see also IDEM, "Wiederkehr der Hexateuchperspektive" [see n. 28], 31–35); GERTZ, "Kompositorische Funktion" (see n. 85),

In this respect, this process testifies to the growing centrality of the Mosaic *torah* in Deuteronomy for the scribes who composed and edited the books of Joshua–Kings and – correspondingly – to the gradual alignment of those same books with the legislation found in Deuteronomy. The fact that the privileged connection between Deuteronomy and Joshua was maintained even after the joining of the Exodus–Joshua narrative with the traditions preserved in Judges and Samuel–Kings must be explained by the fact that for the Dtr scribes, the relationship between Deuteronomy and Joshua exemplified in a paradigmatic way the connection between Mosaic law, possession of the land, and the unity of Israel as a social group. This close association between Deuteronomy and Joshua was preserved even in the later stages of the transmission of these two books. When the first five books of the Hebrew Bible were eventually recognized as forming a distinct collection with a unique degree of authority (the "Torah of Moses"), probably during the fourth century B.C.E., the book of Joshua logically became the first "supplement" to this Torah. At that stage, Joshua, as the first "prophet" after Moses, logically became the first reader and commentator of the law (see Josh 1:6–8).[91]

111–118; R. HECKL, *Moses Vermächtnis: Kohärenz, literarische Intention und Funktion von Dtn 1–3* (ABG 9; Leipzig: Evangelische Verlagsanstalt, 2004).

[91] See RÖMER, "Josué, lecteur de la Torah (Jos 1,8)," in *"Lasset uns Brücken bauen…": Collected Communications to the XVth Congress of the International Organization for the Study of the Old Testament, Cambridge, 1995* (ed. K.-D. Schunk and M. Augustin; BEATAJ 42; Frankfurt am Main: Peter Lang, 1998), 117–124. R. Albertz has convincingly identified a series of late, postpentateuchal additions to the book of Josh; according to him, the purpose of such additions was to "align" the book of Josh with the Torah of Moses. See R. ALBERTZ, "The Canonical Alignment of the Book of Joshua," in *Judah and the Judeans in the Fourth Century B.C.E.* (ed. O. Lipschits *et al*.; Winona Lake, Ind.: Eisenbrauns, 2007), 287–303. A similar idea can already be found in E.A. KNAUF, "Towards an Archaeology of the Hexateuch," in *Abschied vom Jahwisten: Die Komposition des Hexateuch in der jüngsten Diskussion* (ed. J.C. Gertz *et al*.; BZAW 315; Berlin: de Gruyter, 2002), 275–294, here 279–280 and n. 23. Although traces of this postpentateuchal revision can be found elsewhere in Judg, Sam, and Kgs, it is much more prominent in Josh because of the status of Joshua as the first "prophet" after Moses. KNAUF, "Archaeology of the Hexateuch," 279–280 n. 23, thus refers to the book of Josh as "*the first deutero-canonical book attached to a canon of scripture which, by that time, only comprised the Torah*" (italics are mine).

The term "canon" used here by Knauf is to be taken *cum grano salis*. It is clear that the Torah did not reach the kind of textual uniformity usually associated with the concept of canon before the turn of the era, when the proto-Masoretic edition of the Pentateuch gradually established itself as the standard edition. Even the notion of Moses's Torah as a closed collection of Scriptures is somehow problematic, since in Qumran (and possibly in other Second Temple communities) the "Torah" of Moses was not necessarily restricted to the Pentateuch but could apparently include additional revelations made to Moses, such as *Jubilees* (see CD xvi 2–3) or (perhaps) the *Temple Scroll* (11QT). The same observation applies to Albertz's use of the expression "canonical" to refer to the redacted Pentateuch in the late Persian or ear-

ly Hellenistic period. For a helpful discussion regarding the difference between "authoritative collections" (or Scriptures) in the Second Temple period and "canon," see E. ULRICH, "The Canonical Process, Textual Criticism, and Latter Stages in the Composition of the Bible," in *"Sha'arei Talmon": Studies in the Bible, Qumran, and the Ancient Near East Presented to Shemaryahu Talmon* (ed. M. Fishbane *et al.*; Winona Lake, Ind.: Eisenbrauns, 1992), 267–291.

Joshua 9 and Deuteronomy, an Intertextual Conundrum

The Chicken or the Egg?[1]

Cynthia Edenburg

The recent study of the relations between Deuteronomy and the rest of the Pentateuch, as well as those between Deuteronomy and the books of the Former Prophets, has called into question the simplistic views regarding the unity of Deuteronomy, its independence from the rest of the Pentateuch, and the integrity of the Deuteronomistic History (Deut–Kgs).[2] As a result, several scholars now proclaim the death of the Deuteronomistic History as either a history or a preconceived composition, and invoke instead the rebirth of the Hexateuch (Gen–Josh), or a comprehensive "Primary History" or Enneateuch extending from Genesis to Kings.[3] In this presentation, I shall examine the story of the Gibeonite treaty in Josh 9 as a test case for evaluating the

[1] I am indebted to the Open University of Israel research authority for funding my presentation of this paper at the 2010 SBL annual meeting.

[2] See, e.g., C. WESTERMANN, *Die Geschichtsbücher des Alten Testaments: Gab es ein deuteronomistisches Geschichtswerk?* (Gütersloh: C. Kaiser, 1994); H.N. RÖSEL, "Does a Comprehensive 'Leitmotiv' Exist in the Deuteronomistic History?" in *The Future of the Deuteronomistic History* (ed. T. Römer; BETL 147; Leuven: Leuven University Press/Peeters, 2000), 195–211, and the survey in T. RÖMER and A. DE PURY, "Deuteronomistic Historiography (DH): History of Research and Debated Issues," in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research* (ed. A. de Pury *et al*.; JSOTSup 306; Sheffield: Sheffield Academic Press, 2000), 24–141, here 60–61, 82–88.

[3] See, e.g., E.A. KNAUF, "Does 'Deuteronomistic Historiography' (DtrH) Exist?" in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research* (ed. A. de Pury *et al*.; JSOTSup 306; Sheffield: Sheffield Academic Press, 2000), 388–398; H.N. RÖSEL, "The Book of Joshua and the Existence of a Hexateuch," in *Homeland and Exile: Biblical and Ancient Near Eastern Studies in Honour of Bustenay Oded* (ed. G. Galil *et al*.; VTSup 130; Leiden: Brill, 2009), 559–570; E. OTTO, *Das Deuteronomium im Pentateuch und Hexateuch: Studien zur Literaturgeschichte von Pentateuch und Hexateuch im Lichte des Deuteronomiumrahmens* (FAT 30; Tübingen: Mohr Siebeck, 2000); R.G. KRATZ, *The Composition of the Narrative Books of the Old Testament* (trans. J. Bowden; London: T&T Clark, 2005), 216–221; K. SCHMID, *Genesis and the Moses Story: Israel's Dual Origins in the Hebrew Bible* (trans. J.D. Nogalski; Siphrut 3; Winona Lake, Ind.: Eisenbrauns, 2010), 29–35, 342–346.

strengths and weaknesses of the different approaches. This story provides an excellent subject for this purpose, since it relates closely with several other texts in Deuteronomy as well as with Deuteronomistic-related materials in Exodus (Exod 23:20–33; 34:11–16),[4] with the independent story of Shechem and Dinah in Gen 34, and with passages from different strata of Joshua, Samuel, and Kings (e.g., Josh 11:19; 2 Sam 21:1–14; 1 Kgs 8:41).[5] The first part of this study focuses on elucidating the relations between the story of the Gibeonites and its various intertexts, and provides the basis for conclusions regarding the story's purpose and its target audience. The second part examines further implications arising from this test case that help to trace the impact of the different redactional layers of Deuteronomy upon the larger context of the Deuteronomistic History and the Pentateuch. Diachronic analysis of the different intertexts will demonstrate the need felt at different periods to revise earlier attitudes toward the indigenous "other" according to changes in political and social circumstances. I shall show that the story of the Gibeonite ruse in Josh 9 reflects a late stage in the evolution of the attitude toward the "people of the land" and that it undermines the pretexts of the earlier attitudes expressed in different Deuteronomistic layers of the Pentateuch.

A methodological problem arises at this point, namely, how to determine direction of intertextual relationships, or, in other words, which came first, the chicken or the egg? Most scholars have not applied a stringent method in evaluating such intertextual relationships, but have relied upon preconceived views regarding the age of the sources. As a result, opinions are divided on the question of how Josh 9 interrelates with the other texts.

One approach holds that the source of the story derives from an early premonarchic, *preliterary tradition* or layer within the present narrative that related how the Gibeonite enclave concluded a treaty with the Israelites.[6] This

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[4] Verse numbers throughout refer to the versification in the *BHS*.

[5] The theme of the Gibeonites' position as cult slaves has also been discussed in connection with 1 Kgs 9:20–21; Ezra 2:58; Neh 7:60; 11:3, and see, e.g., M. HARAN, "Gibeonites, the Nethinim and the Sons of Solomon's Servants," *VT* 11 (1961), 159–169; M. NOTH, *Das Buch Josua* (3rd ed.; HAT; Tübingen: Mohr Siebeck, 1971), 54–55; J. DAY, "Gibeon and the Gibeonites in the Old Testament," in *Reflection and Refraction: Studies in Biblical Historiography in Honour of A. Graeme Auld*, (ed. R. Rezetko *et al*.; VTSup 113; Leiden: Brill, 2006), 113–137, here 118–119, 134–137; E.A. KNAUF, *Josua* (ZBK 6; Zürich: Theologischer Verlag, 2008), 91. This topic, however, is beyond the scope of the present investigation.

[6] E.g. K. MÖHLENBRINK, "Die Landnahmesagen des Buches Joshua," *ZAW* 56 (1938), 238–268, here 242–245; NOTH, *Josua* (see n. 5), 53–54; J. LIVER, "The Literary History of Joshua 9," *JSS* 8 (1963), 227–243, here 232–237; R.K. SUTHERLAND, "Israelite Political Theories in Joshua 9," *JSOT* 53 (1992), 65–74; cf. J. BRIEND, "The Sources of the Deuteronomistic History: Research on Joshua 1–12," in *Israel Constructs Its History: Deuteronomistic Historiography in Recent Research* (ed. A. de Pury *et al*.; JSOTSup 306; Sheffield: Sheffield Academic Press, 2000), 361–386, here 362–363.

early source made no mention of Joshua. The treaty was instead confirmed by representatives of the people, variously termed אישׁ ישׂראל and נשׂיאי העדה. Since this core narrative contains many of the intertextual correspondences with Deuteronomy (Josh 9:4–7*, 9–10, 14), it follows that language and ideas expressed in the shared texts are pre-Deuteronomistic and that Deuteronomy was subsequently influenced by the earlier story.

According to a second approach, the core story derives from a pre-Deuteronomistic *literary source* that originally dealt only with the Gibeonites' ruse and not with its consequences. The story was then expanded to relate how the deception was uncovered and how the Gibeonites were demoted to the status of cultic slaves. This secondary expansion may belong to another pre-Deuteronomistic scribe or, alternately, may derive from the Deuteronomistic Historian (DtrH). In any event, the story of the Gibeonites' ruse is not dependent upon Deuteronomic law, and Deuteronomistic language might have been added to the narrative by DtrH.[7] Some who follow this approach hold that the Deuteronomistic revision of the story subsequently influenced Deuteronomy, especially in Deut 29.[8]

A third approach attributes the bulk of the story to the core narrative. The core narrative was minorly reworked later by a Priestly scribe who attributed the pact with the Gibeonites to the leaders of the congregation (נשׂיאי העדה) rather than to Joshua. The core narrative itself is wholly dependent upon Deuteronomy and therefore stems from a Deuteronomistic author.[9]

It immediately becomes apparent that the view one holds regarding the intertextuality in Josh 9 is bound up with one's view of the text's literary (and even preliterary) history. Therefore, I shall state my position regarding the story's unity at the outset. I agree with those who hold that the core narrative underwent only a single stage of expansion when a Priestly scribe rewrote the original narrative in one isolated section (Josh 9:15b, 18–21), in which the

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[7] E.g., J. BLENKINSOPP, "Are There Traces of the Gibeonite Covenant in Deuteronomy?" *CBQ* 28 (1966), 207–219, here 211–213; J. HALBE, "Gibeon und Israel: Art, Veranlassung und Ort der Deutung ihres Verhältnisses in Jos IX," *VT* 25 (1975), 613–641, here 616–617; C. SCHÄFER-LICHTENBERGER, "Das gibeonitische Bündnis im Lichte deuteronomischer Kriegsgebote: Zum Verhältnis von Tradition und Interpretation in Jos 9," *BN* 34 (1986), 58–81; R.D. NELSON, *Joshua: A Commentary* (OTL; Louisville: Westminster John Knox, 1997), 123–127; V. FRITZ, *Das Buch Josua* (HAT; Tübingen: Mohr Siebeck, 1994), 101.

[8] P.J. KEARNEY, "The Role of the Gibeonites in the Deuteronomic History," *CBQ* 35 (1973), 1–19; A.D.H. MAYES, "Deuteronomy 29, Joshua 9, and the Place of the Gibeonites in Israel," in *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (ed. N. Lohfink; BETL 65; Leuven: Peeters, 1985), 321–325.

[9] M. ROSE, *Deuteronomist und Jahwist: Untersuchungen zu den Berührungspunkten beider Literaturwerke* (ATANT 67; Zürich: Theologischer Verlag, 1981), 188–192; J. VAN SETERS, *In Search of History* (New Haven: Yale University Press, 1983), 328–329.

leaders of the congregation, rather than Joshua, suggest appointing the Gibeonites to the cult personnel at YHWH's sanctuary. This section is easily identified since it creates doublets and inconsistencies and, furthermore, displays characteristic Priestly style not exhibited elsewhere in the story. Otherwise, the narrative in Josh 9 is unified. The attempts made in the past to recover an ancient pre-Deuteronomistic version that dealt solely with the establishment of a pact between Gibeon and Israel are not convincing, since they only produce a trivial and truncated narrative dealing with an unprecedented theme.[10] However, the story of the Gibeonite treaty is *not* simply a story about diplomatic relations between peoples (cf., e.g., Gen 21:27; 31:44; 1 Kgs 5:26; 15:19), but a story of deception, in which cunning (v. 4, ערמה) and uncovering the deception (v. 22, "Why did you deceive us?" למה רמיתם אתנו) play key roles. In fact, the entire story revolves around the ruse and attempts to surgically excise all elements of the ruse only result in the creation of an insignificant anecdote.

The Story of the Gibeonite Ruse and Its Intertexts: Method and Practice

In the following, I shall evaluate the nature of the relations between the story of the Gibeonite ruse and other texts that share its language and motifs. Since I employ Josh 9 as a test case in order to examine the impact of the various redactional layers of Deuteronomy upon both the Deuteronomistic History and the rest of the Pentateuch, it is crucial to use methods that are appropriate for diachronic analysis.

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[10] See, e.g., LIVER, "Literary History" (see n. 6), 228–231; N. NA'AMAN, "The Sanctuary of the Gibeonites Revisited," *JANER* 9 (2009), 101–124, here 110–111; contra MÖHLENBRINK, "Landnahmesagen" (see n. 6), 241–245; HALBE, "Gibeon und Israel" (see n. 7), 613–629. The separation of the pre-Deuteronomistic version is frequently based upon alternating references to Joshua and to the men of Israel (איש ישראל, vv. 6–7; cf. "the men," האנשים, v. 14), and see, e.g., H.N. RÖSEL, "Anmerkungen zur Erzählung vom Bundesschluss mit den Gibeoniten," *BN* 28 (1985), 30–35, here 30–32; FRITZ, *Buch Josua* (see n. 7), 101. However, the fact that the Gibeonites alternately address Joshua and the men of Israel is understandable within the narrative. The Gibeonites approach Joshua, the Israelite leader, and then address him and the entire camp (v. 6), but the men of Israel precipitously open the door for the Gibeonites' deception (v. 7). The Gibeonites continue to address Joshua, whom they recognize as leader (vv. 8–13), and the people once again precipitously examine and validate the Gibeonites' "proof" (v. 14), after which Joshua, as leader, confirms the pact (v. 15). It seems to me that outdated notions regarding a tribal league lie behind the idea that the mention of איש ישראל derives from a pre-Deuteronomistic strand. Cf. also KNAUF, *Josua* (see n. 5), 92–94.

In evaluating the intertextual relations between Josh 9 and the other texts, I employ the method I have formulated for this purpose in previous studies. This method examines the literary characteristics of the texts themselves and thereby avoids the pitfalls of preconceived conceptions regarding the date of the texts.[11] The primary criteria for determining the direction of literary dependence are: 1) the "ungrammatical" actualization of a common element (the "blind motif"); 2) transformation and reactualization of a common element; and 3) the degree to which the comprehension of the one text is dependent upon prior knowledge of the other text.

First, I shall discuss the relevant intertexts in Deuteronomy and Joshua, beginning with the law of *ḥērem* in Deut 20:15–18. The Gibeonites present themselves as travelers from a distant land and point to "evidence" of their long journey in order to convince the Israelites to make a pact with them (Josh 9:9–13). The necessity of such a ruse is incomprehensible unless we suppose that the Gibeonites were familiar with the law of *ḥērem* that requires the annihilation of all the indigenous peoples of Canaan (cf. 9:24 where this indeed appears to be so!).[12] Although the injunction to annihilate the entire native populace also appears elsewhere, only Deut 20:15–18 makes the distinction between distant peoples and those indigenous to Canaan.[13] This opposition between distant and native peoples is further borne out three times in the Gibeonite story: once when the Israelites voice their reservations about entering into a pact with the Gibeonites since they might have come from nearby (Josh 9:7, "Perhaps you dwell among me," אולי בקרבי אתה יושב), and twice more at the moment of discovery, when the Israelites discover that they indeed dwell nearby, in the midst of the territory the Israelites were to occupy. But the artifice itself is transparent and forced. If the Gibeonites' claim were true, then why would they be in dire need of a treaty with the Israelites?[14] Thus the

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[11] C. EDENBURG, "How (Not) to Murder a King: Variations on a Theme in 1 Sam 24; 26," *SJOT* 12 (1998), 64–85, here 64–74.

[12] See, e.g., M. FISHBANE, *Biblical Interpretation in Ancient Israel* (2nd ed.; Oxford: Clarendon Press, 1988), 206–207; LIVER, "Literary History" (see n. 6), 242–243; KEARNEY, "The Role of the Gibeonites" (see n. 8), 3–4; SCHÄFER-LICHTENBERGER, "Gibeonitische Bündnis" (see n. 7), 58, 64; NELSON, *Joshua* (see n. 7), 124; KNAUF, *Josua* (see n. 5), 90–94.

[13] Deut 20:15: "Thus you shall deal with all the towns that are very distant from you," בן תעשׂה לכל־הערים הרחקת ממך מאד; cf. Josh 9:6: "We come from a distant land," מארץ רחוקה באנו; 9:22: "Why did you deceive us, saying 'We are very distant from you'?" למה רמיתם אתנו לאמר רחוקים אנחנו מכם מאד.

[14] So also LIVER, "Literary History" (see n. 6), 227; N. NA'AMAN, "The 'Conquest of Canaan' in the Book of Joshua and in History," in *From Nomadism to Monarchy: Archaeological and Historical Aspects of Early Israel* (ed. I. Finkelstein and N. Na'aman; Jerusalem: Yad Ben-Zvi, 1994), 218–281, here 174.

claim to come from afar presupposes the law of *ḥērem* as formulated in Deut 20:15–18.

A further link with this law appears in the solitary reference in the narrative to the Gibeonites' Hivite ethnicity (Josh 9:7). Only once more are the Gibeonites said to be Hivites, and this occurs in Josh 11:19, which is a redactional comment dependent upon the story in Josh 9.[15] The Gibeonites are mentioned twice more in reference to the alliance. In Josh 10:1 they are simply "the Gibeonites" (יֹשְׁבֵי גִבְעוֹן), while 2 Sam 21:2 explains that they are a remnant of the Amorites (כִּי אִם־מִיתֶר הָאֱמֹרִי). The ethnic designation in Josh 9:7 is unnecessary and plays no role in the plot of the story, therefore it is an "ungrammatical" element originally at home in another context.[16] And indeed, Hivites are one of the indigenous peoples designated by the law in Deuteronomy as subject to *ḥērem* (Deut 20:17; cf. 7:1). The cumulative evidence discussed here thus indicates that the author of Josh 9 was familiar with the law of *ḥērem* in Deut 20:15–18 and built his story around it, in order to illustrate an *abrogation* of the Deuteronomic law.

However, the law of *ḥērem* is set within a broader section dealing with the regulation of warfare (Deut 20:1–20), where the main concern is to *limit* destruction and bloodshed during conquest (Deut 20:10–14, 19–20). The section in vv. 10–11 opens with the conditional כִּי to mark the general regulations, and the general rule requires the Israelites to parley for peace and offer terms for capitulation. The countercase, presented in vv. 12–14, is introduced by the secondary conditional אִם and deals with the possibility that the terms are refused: only then should the town be conquered and all its male occupants killed, but the women, children, and everything else in the city may be taken alive as booty. Nothing in Deut 20:10–14 intimates that it discusses exceptional cases rather than the rule. However, Deut 20:15 suddenly introduces a distinction between distant cities and Canaanite towns, thereby limiting the application of the previous section (Deut 20:10–14). Hence, the distinction made in v. 15 between distant cities that may be spared if they capitulate and the Canaanite towns that are automatically subject to *ḥērem* appears to be an artificial transition intended to ease the insertion of a late addition to the law. Consequently, most scholars agree that the law of *ḥērem* in Deut 20:15–18 is a late addition to Deuteronomy, deriving from a stage in which the book was revised to reflect a more stringent stance toward indigenous non-Yahwistic

[15] Josh 11:19 disrupts the continuity of vv. 18, 20, and undermines and overrides the point of v. 20.

[16] Cf. MÖHLENBRINK, "Landnahmesagen" (see n. 6), 244; RÖSEL, "Anmerkungen" (see n. 10), 30; NA'AMAN, "Sanctuary" (see n. 10), 115.

peoples and practices.[17] Since the core story of the Gibeonite ruse and treaty is dependent upon a late addition to Deuteronomy, it must have been composed *subsequently* to the late revision of the Deuteronomic law code.[18] In other words, the story in Josh 9 is dependent upon a law that most scholars today attribute to a revision of Deuteronomy in the exilic period.

Albeit, the Deuteronomistic account of the conquest seems to presume an earlier version of the story that dealt with an alliance with Gibeon. This is evident at the beginning of the account of the battle at Gibeon in Josh 10, where the king of Jerusalem reacts to the news that the Gibeonites *made peace* with Israel (10:1, 4b: כי השלימו יושבי גבעון את־ישראל). The Gibeonites' appeal to Joshua to aid them against the attack of the coalition headed by the king of Jerusalem (10:6) also presumes the treaty, since mutual aid against a hostile third party is a standard feature of ancient Near Eastern treaties. However, a close reading indicates that the battle account in Josh 10 interacts with the earlier form of the Deuteronomic war regulations (Deut 20:10–14), allowing the Israelites to make peace with any town that capitulates before the commencement of hostilities.[19] Therefore, it seems that the conquest narrative must have contained some sort of account of the Gibeonite alliance that presumed, according to the early Deuteronomic rule of war, that Canaanite cities could capitulate to the Israelites, although only Gibeon chose to do so. In my opinion, this account of the Gibeonite alliance was created by the author of the conquest narrative in order to illustrate the application of the early rule of war in Deut 20:10–14. However, in contrast to the approaches I outlined above, I do not think that this early version can be retrieved from the present

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[17] E.g. FISHBANE, *Biblical Interpretation* (see n. 12), 199–200; SCHÄFER-LICHTENBERGER, "Gibeonitische Bündnis" (see n. 7), 59–61; E. NOORT, "Das Kapitulationsangebot im Kriegsgesetz Dtn 20:10ff. und in den Kriegserzählungen" in *Studies in Deuteronomy in Honour of C.J. Labuschagne* (ed. F. García Martínez *et al*.; VTSup 53; Leiden: Brill, 1994), 197–222, here 216–222; M. ROSE, *5. Mose. Teilband 1: Mose 12–25; Einführung und Gesetze* (ZBK 5/1; Zürich: Theologischer Verlag, 1994), 237–252; E. NIELSEN, *Deuteronomium* (HAT; Tübingen: Mohr Siebeck, 1995), 199; W. DIETRICH, "Niedergang und Neuanfang: Die Haltung der Schlussredaktion des deuteronomistischen Geschichtswerkes zu den wichtigsten Fragen ihrer Zeit," in *The Crisis of Israelite Religion: Transformation of Religious Tradition in Exilic and Post-Exilic Times* (ed. B. Becking and M.C.A. Korpel; OtSt 42; Leiden: Brill, 1999), 45–70, here 51, 59–60; R.D. NELSON, *Deuteronomy: A Commentary* (OTL; Louisville: Westminster John Knox: 2002), 246–247; cf. KEARNEY, "Role of the Gibeonites" (see n. 8), 3.

[18] Cf. KNAUF, *Josua* (see n. 5), 18–19, who places the *ḥērem* law within an early Persian-period context.

[19] Cf. Deut 20:10: וקראת אליה לשלום; v. 11: והיה אם־שלום תענך; v. 12: ואם־לא תשלים עמך, where vv. 10–11 deal with offering and accepting terms of peace, and v. 12 deals with refusing terms of peace.

story of the Gibeonite deception. Instead, it probably was *replaced* in whole by the present story.[20]

The text in Josh 9 also echoes additional passages in Deuteronomy. Five times the text reiterates the phrase "make a treaty" (כרת ל [x] ברית), which is voiced by the Gibeonites, the Israelites, and the narrator in Josh 9:6–7, 11, 15–16, while the prohibition in Deut 7:1–2 uses the same wording with the negation (לא תכרת להם ברית) in order to proscribe forming alliances with the inhabitants of Canaan – among them the Hivites. Only Deut 7:1–2 combines this prohibition with the command to annihilate the peoples of the land. Indeed, according to Josh 9:3–4, it was fear of the *ḥērem* inflicted upon Jericho and Ai that motivated the Gibeonites to seek the alliance in the first place (cf. v. 24).[21] Moreover, precisely when Joshua makes the peace pact with them, the narrator adds a seemingly superfluous causal clause: "Joshua made a peace pact with them *to save their lives*" (9:15, להחיותם). This addition clearly is intended to demonstrate that the events in the story are completely at odds with the prohibition in Deut 7:1–2.

By dressing themselves in tattered clothes and worn sandals and supplying themselves with provisions of dry bread and cracked wineskins (Josh 9:4–5, 12–13), the Gibeonites take steps that recall the descriptions of divine providence in the desert in Deut 8:3–4; 29:4–5, according to which YHWH provided the Israelites with sustenance in lieu of bread and wine and preserved their dress and footwear from deterioration despite the years of wanderings.[22] These texts not only share unique phrases, but the costumes and props the Gibeonites prepare stand in inverse relation to the description of the Israelites' preservation in the desert. Furthermore, the rank to which the Gibeonites will be demoted is designated in both the core story and the Priestly expansion as "woodcutters and water drawers" (Josh 9:21, 23, 27, חטבי עצים ושאבי מים). This collocation is found only once more, in Deut 29:10, and there it appears at the end of a descending progression detailing the entire community that

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[20] Cf., by contrast, Knauf's minimalistic reconstruction of the early account; KNAUF, *Josua* (see n. 5), 90.

[21] Elsewhere the prohibition accompanies the command to expel (rather than annihilate) the native populace, and cf. Exod 23:32; 34:12–18; Judg 2:2; and see M. WEINFELD, "The Ban on the Canaanites in the Biblical Codes and Its Historical Development," in *History and Traditions of Early Israel: Studies Presented to Eduard Nielsen* (ed. A. Lemaire and B. Otzen; Leiden: Brill, 1993), 142–160.

[22] Josh 9:5: "they had worn-out and patched sandals on their feet and worn-out clothes on their backs," ונעלות בלות ומטלאות ברגליהם ושלמות בלות עליהם, cf. Deut 8:4: "the clothes on your back did not wear out," שמלתך לא בלתה מעליך; Deut 29:4: "the clothes on your backs did not wear out nor did the shoes on your feet wear out," לא־בלו שלמתיכם מעליכם ונעלך לא־בלתה מעל רגלך. The juxtaposition of worn clothes and worn shoes occurs only in Deut 29:4 and Josh 9:5, 13, while the formulation in Deut 8:4 is cited by Neh 9:21.

will enter into YHWH's pact.[23] Finally, the Gibeonites' claim that they come from a distant land (Josh 9:6, 9, באנו [מאד] מארץ רחוקה) again echoes a passage in Deut 29 (Deut 29:21, הנכרי אשר יבא מארץ רחוקה). Once again, the shared motif has been applied in an inverse fashion. The future foreigner in Deut 29 really does come from afar and sees the consequences Israel shall suffer for breaking YHWH's covenant, while the Gibeonites only pretend to come from afar in order to cause the Israelites to violate the terms of YHWH's covenant and make a peace treaty with them!

The nature of these intertextual relations has been heavily debated. One scholar even maintains that the evidence "consists of little more than casual word-associations that individually or in aggregate do not count for very much."[24] As I have shown, unique recurrences of peculiar idioms, unnecessary or superfluous verbiage, and "ungrammatical" and sometimes inverse application of a parallel are to be found when evaluating these intertexts. Therefore, it is possible to conclude that the intertextuality perceived between the story of the Gibeonites and the texts discussed from Deuteronomy is not the result of loose associative reading, but rather the product of intentional compositional patterning. Furthermore, in some cases it is possible to demonstrate the dependence of Josh 9 upon the texts in Deuteronomy. More generally, I think it unlikely that a story relating how the Israelites were tricked into *not* implementing the *ḥērem* prescribed by Deuteronomy should leave its imprint upon Deuteronomy's parenetic framework – particularly when nothing further in Deut 7:1–6; 8:1–6; 29:1–28 points forward to the Gibeonite alliance. If so, then the story in Josh 9 evokes not only the *ḥērem* injunction in Deut 20:15–18 but also material widely assigned to the late exilic strata of Deuteronomy's parenetic framework.[25]

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[23] Deut 29:9–10 lists in order: tribal heads, elders, officers, all Israel, children, women, resident aliens, and woodcutters and water drawers.

[24] R.P. GORDON, "Gibeonite Ruse and Israelite Curse in Joshua 9," in *Covenant as Context: Essays in Honour of E.W. Nicholson* (ed. A.D.H. Mayes and R.B. Salters; Oxford: Oxford University Press, 2003), 163–190, here 169.

[25] That the parenetic frame of the Deuteronomic code has a complex compositional history is evident in the disjointed nature of the materials it contains. On Deut 7:1–6; 8:1–6; 29, see, e.g., KEARNEY, "Role of the Gibeonites" (see n. 8), 6–7; N. LOHFINK, "Kerygmata des Deuteronomistischen Geschichtswerks," in *Botschaft und die Boten*: *Festschrift für Hans Walter Wolff zum 70. Geburtstag* (ed. J. Jeremias and L. Perlitt; Neukirchen-Vluyn: Neukirchener, 1981), 87–100, here 100; A.D.H. MAYES, *The Story of Israel between Settlement and Exile: A Redactional Study of the Deuteronomistic History* (London: SCM Press, 1983), 34; IDEM, "Deuteronomy 29" (see n. 8), 322; M. ROSE, *5. Mose. Teilband 2: Mose 1–11 und 26–34; Rahmenstücke zum Gesetzeskorpus* (ZBK 5/2; Zürich: Theologischer Verlag, 1994), 331–338, 458–460, 551–557; NIELSEN, *Deuteronomium* (see n. 17), 95–96; T. VEIJOLA, "Bundestheologische Redaktion im Deuteronomium," in *Das Deuteronomium und seine Querbeziehungen* (ed. T. Veijola; PFES 62; Helsinki: Finnische Exegetische Gesellschaft; Göttingen:

One more text relevant to this context is 1 Kgs 8:41, which depicts the foreigner who comes from a distant land for the sake of YHWH's name (הנכרי אשר לא־מעמך ישראל הוא ובא מארץ רחוקה למען שמך). This depiction of the pious foreigner who has heard of YHWH's great name and comes from a distant land to pray at his temple stands in stark ironic contrast to the Gibeonites who only pretend to come from afar and seek a pact in fear of YHWH's dealings with the people of the land (Josh 9:9). At the end of the story, the Gibeonites are indeed forever bound to YHWH's temple, but as menial servants rather than as pious worshipers (9:23–27). The unique combination of expressions shared by Josh 9:9 and this passage from Solomon's prayer (1 Kgs 8:41–42) indicates, in my opinion, an intentional literary interrelation. It would be strange if the author of this section of Solomon's prayer should echo the words of the Gibeonites when portraying this pious foreigner, but it does make sense that the author of the story of the Gibeonites should have them parrot the words of Solomon's prayer in order to reinforce the irony of their deception. The passage in Solomon's prayer dealing with the pious foreigner opens a larger section (1 Kgs 8:41–53) that is thought to be a late exilic (or postexilic) expansion of the prayer.[26] Consequently, the story as we have it in Josh 9 could not be older, and more probably is a later composition. So far, all the material I have examined leads to the same conclusion – that is, the story of the Gibeonite deception is at least a late Deuteronomistic text, and possibly even post-Deuteronomistic in origin. The author of Josh 9 was familiar with a late form of Deuteronomy as well as the late form of Solomon's prayer.

Now I shall deal with the non-Deuteronomistic intertexts, beginning with 2 Sam 21. This story relates that Saul had pursued the Gibeonites and that during David's reign they extracted their vengeance from Saul's descendants. The link between this story and the tale of the Gibeonite treaty is quite tenuous. The beginning of the narrative is suddenly disrupted in v. 2 with a parenthetic comment: "Now the Gibeonites did not belong to the stock of Israelites, but to the remnant of the Amorites and the Israelites had sworn to them. But Saul, in his zealousness to Israel and Judah, sought to kill them." A repetitive resumption follows this comment, clearly marking it as parenthetical and easily extracted from its context.[27] Moreover, the Gibeonites' words in 2 Sam

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Vandenhoeck & Ruprecht, 1996), 242–276, here 248–254; E. OTTO, *Deuteronomium im Pentateuch und Hexateuch* (see n. 3), 145–152; T. VEIJOLA, *Das 5. Buch Mose: Deuteronomium, Kapitel 1, 1–16, 17* (ATD 8/1; Göttingen: Vandenhoeck & Ruprecht, 2004), 195–202, 218–221.

[26] See, e.g., M.Z. BRETTLER, "Interpretation and Prayer: Notes on the Composition of 1 Kings 8.15–53," in *Minhah le-Nahum: Biblical and Other Studies Presented to Nahum M. Sarna* (ed. M.Z. Brettler and M. Fishbane; JSOTSup 154; Sheffield: JSOT Press, 1993), 25–32.

[27] NA'AMAN, "Sanctuary" (see n. 10), 103.

21:5 (נשמדנו מהתיצב בכל־גבל ישׂראל), however they might be rendered, belie the claim of the comment that they do not belong to Israel. No further mention is made in the story of the Gibeonites' supposed foreign extraction, whether Amorite or Hivite, nor of any treaty or oath between them and Israel. Neither is there any hidden reference to the Gibeonite deception or to their role as cult servants. Therefore, it appears that a glossator attempted to interpret the Gibeonites' vengeance in light of some tradition of the Gibeonite alliance. As I mentioned before, the Deuteronomistic account of the battle at Gibeon presumes that the Gibeonite alliance was the result of the Gibeonites' capitulation rather than the product of deceit. Therefore, it is difficult to conclude that the glossator has in mind the story told in Josh 9.

Finally, there are several associative links between Josh 9 and the story of the sacking of Shechem in Gen 34. Both the Gibeonites and the Shechemites are said to be Hivites, and only these two towns are specifically said to have a Hivite populace. The topic of the story in Josh 9 is contracting a treaty with non-Israelites, while the topic in Gen 34 is intermarriage between Israelites and non-Israelites, and both topics are combined in Exod 34:12–16 and Deut 7:1–5 (cf. Josh 23:12).[28] Both of the stories are deception stories and employ the root רמה (Gen 34:13; Josh 9:22), and there is an inverse relation regarding the direction of the deception. In Genesis the sons of Jacob deceive the Hivites of Shechem, while in Joshua the Hivites of Gibeon deceive the Israelites. The deception is discovered in both stories on the third day (Gen 34:25; Josh 9:16). While the deception of Jacob's sons leads to the annihilation of the Hivites of Shechem, the deception of the Gibeonites leads to the treaty that preserves them from annihilation. Furthermore, both stories are located at cult sites that challenge the ideology of cult centralization. However, the two stories do not display any unique verbal parallels, and they mainly share motifs that are applied in an inverse fashion. Consequently, it would be hazardous to conclude that one story was patterned upon the other.

Instead, it could be that the two represent contemporaneous texts in dialogue. Recently, it has been proposed that the story of the sack of Shechem is a postexilic anti-Samarian polemic.[29] At the same time, my examination of the other intertexts indicates that the story in Josh 9 is dependent upon material contained in the late exilic strata of Deuteronomy and the Deuteronomistic

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[28] On this point there is a striking echo between Gen 34:9 (והתחתנו אתנו בנתיכם תתנו־לנו) and Deut 7:3 (ולא תתחתן בם בתך לא־תתן לבנו ובתו לא־תקח לבנך ואת־בנתינו תקחו לכם). In other words, Shechem is proposing that Jacob's sons do precisely what Deut 7:3 prohibits.

[29] See, e.g., M. ROSE, *Deuteronomist und Jahwist* (see n. 9), 201–213; Y. AMIT, *Hidden Polemics in Biblical Narrative* (trans. J. Chipman; BibInt 25; Leiden: Brill, 2000), 189–213; A. ROFÉ, "Defilement of Virgins in Biblical Law and the Case of Dinah (Genesis 34)," *Bib* 86 (2005), 369–375; cf. NA'AMAN, "Conquest of Canaan" (see n. 14), 276.

History and therefore is, at the least, a late Deuteronomistic text, if not post-Deuteronomistic in origin. Several factors might tip the scales in favor of the latter option, that the story is actually a post-Deuteronomistic composition. The fact that Josh 9 is a deception story implies that it polemicizes against Deuteronomistic ideology. Deception stories invite the audience to identify with the successful tricksters – in this case the Gibeonites – rather than with those who are fooled. In other words, the story seems to paint a favorable image of the Gibeonites, who circumvent Deuteronomistic *ḥērem* ideology by means of a primitive ruse inspired by late texts in Deuteronomy.[30] In contrast, the Israelites emerge looking foolish. Moreover, if Josh 9 were indeed a Deuteronomistic story, we might expect some condemnation of the Israelites for neglecting to implement the *ḥērem* in the first place, and for binding themselves to an oath that prohibits them from rectifying the abrogation of the *ḥērem*.[31] However, no such condemnation is forthcoming, either in the story or in the rest of the book of Joshua, and this is in marked contrast to Judg 2:1–5. This lack of condemnation leads me to surmise that the story of the Gibeonite ruse was devised as a satiric polemic against the Deuteronomistic *ḥērem* ideology, and that it reflects a more inclusivist attitude on the part of "Israel" toward the "indigenous" people of the land. The indigenous people are allowed to take part in the Israelite cultus – albeit in a subservient position.[32] The purpose and tendency of the core story as formulated in these terms might imply a Persian-period target audience.[33] If this view holds, then the story of the Gibeonite treaty may indeed engage in a contemporaneous polemic debate with the views that dictated the story of the sack of Shechem.

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[30] NELSON, *Joshua* (see n. 7), 126; GORDON, "Gibeonite Ruse" (see n. 24), 170; KNAUF, *Josua* (see n. 5), 91–93; and cf. LIVER, "Literary History" (see n. 6), 227; KEARNEY, "Role of the Gibeonites" (see n. 8), 5–6. This point has escaped the notice of most scholars, who hold that the story denigrates the Gibeonites, and see, e.g., BLENKINSOPP, "Traces" (see n. 7), 212–213; D. EDELMAN, "Gibeon and the Gibeonites Revisited," in *Judah and the Judeans in the Neo-Babylonian Period* (ed. O. Lipschits and J. Blenkinsopp; Winona Lake, Ind.: Eisenbrauns, 2003), 153–167, here 165; NA'AMAN, "Sanctuary" (see n. 10), 109–115.

[31] Cf. KEARNEY, "Role of the Gibeonites" (see n. 8), 7; NA'AMAN, "Conquest of Canaan" (see n. 14), 274; cf. KNAUF, *Josua* (see n. 5), 93–94. By contrast, condemnation *is* voiced in the priestly revision (v. 18).

[32] Thus stated, the polemic runs counter to the ideology behind Deut 20:15–18, and see NELSON, *Deuteronomy* (see n. 17), 249.

[33] Cf. NA'AMAN, "Conquest of Canaan" (see n. 14), 274–277; NELSON, *Joshua* (see n. 7), 132; KNAUF, *Josua* (see n. 5), 28–29, 90–91.

Synthesis and Further Implications for the Changing Contexts of Deuteronomy

So far this study has focused on elucidating the interaction between one specific text – the story of the Gibeonite treaty – and other texts in both the Deuteronomistic History and the Pentateuch. And yet despite the limited scope of the study, the argument provides a basis for more far-reaching conclusions related to the growth of the Deuteronomistic conquest narrative as well as the role Deuteronomy plays within varying sets of scrolls, from Genesis to Kings.

In my opinion, the conquest narrative in Josh 6–10 was originally devised to illustrate the application of the early Deuteronomic rule of war in Deut 20:10–14, 19–20 that limited destruction and bloodshed and required offering terms for capitulation prior to conquest. The first conquest – Jericho – was depicted as a first-fruits offering that was wholly devoted to YHWH. Accordingly, the conquest of Jericho was portrayed as a one-time exception to the rule. In this instance, the concept of *ḥērem* figures in its original sense as something that is devoted or consecrated to a deity and thereby removed from the realm of the profane.[34] In my opinion, this characterization of the conquest of Jericho is inherent to all the redaction layers of Josh 6.

The next two cities dealt with in the conquest narrative exemplify the two sides of the Deuteronomic rule of war in Deut 20:10–14. The comment that YHWH was with Joshua and that news of his fame was heard throughout the land (Josh 6:27) undoubtedly served as the original opening of the story of the conquest of Ai,[35] and similar comments in Josh 9:1–2; 11:1–5 elaborate that "hearing" about Joshua's conquests prompted the kings of Canaan to prepare for war with the Israelites. At a later stage, when the incident of Achan was added to the Ai narrative, this introduction was rewritten and the notice about Achan's violation of the Jericho *ḥērem* was added, thereby obscuring the immediate resistance of the king of Ai. Consequently, there are good grounds to surmise that the account of the conquest of Ai was designed to demonstrate the fate of a city that does not capitulate, as prescribed by Deut 20:12–14. Indeed, the remarks permitting the taking of booty in Josh 8:2aβ, 27 are remarkably similar to the provision in Deut 20:14, and Josh 8:22–24a further shows how the Israelites implemented the regulations of Deut 20:13–14.

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[34] Cf. the similar usage in the Mesha inscription, *KAI* 181, lines 15–17 as well as Deut 13:16–17. Cf. also Akkadian *ḫarāmu* in *CAD* 6.89, and see, e.g., N. LOHFINK, "*ḥāram*," *TDOT* 5.180–99; FISHBANE, *Biblical Interpretation* (see n. 12), 204.

[35] This understanding of the function of Josh 6:27 is further reflected by the MT division into *sederim* in which the verse marks the incipit of the fourth of the *sederim* in the book of Josh.

By contrast, the Gibeonites' reaction to the news of Joshua's conquest of Jericho and Ai (Josh 9:3) is depicted in a converse fashion, by having them capitulate of their own volition and seek a vassal alliance (vv. 8a, 11b). Thus, although the original story of the Gibeonite alliance has been massively rewritten, we can safely surmise that it illustrated the case of a city that capitulates without resistance as described in Deut 20:10–11. Here too in Josh 9:8a, 11b, the Gibeonites echo the language of Deut 20:11 by reiterating their willingness to assume a subservient position. By virtue of such capitulation, the Gibeonites secure the right of protection from assault by a hostile third party. Such rights were standard features of vassal treaties, since third party aggression against faithful vassals was considered no less than an assault against the overlord's interests. Thus, the early account of the war against the coalition of the southern kings in Josh 10:1–14 exemplifies the measure of reciprocity implicit in the relations between voluntary vassals and their overlords.

I think that there can be little doubt that the early rule of war and the early conquest account stem from the late seventh century B.C.E. The Neo-Assyrian praxis of war during the period of empire provided the point of departure for both the Deuteronomic law in Deut 20:10–14, 19–20 and the early conquest narrative in Josh 6–10.[36] Yet it seems unfeasible that Judean royal scribes would daringly appropriate the Neo-Assyrian idiom and ideology of war before Judah was freed of its vassal status with the abrupt wane of the Assyrian Empire in the latter part of the seventh century B.C.E. Instead, these texts probably were composed to provide programmatic support for the expansion of Judah into the southern part of the province of Samaria in the time of Josiah.[37]

By contrast, the revision of the rule of war with the addition of the *ḥērem* stipulation in Deut 20:15–18 hardly reflects any concrete political aspirations. The utopian vision of a land inhabited solely by YHWH's chosen people lacks any historical referent. Who are the indigenous non-Yahwistic peoples who must be annihilated, so as not to lead YHWH's people astray? The national god of historical Israel and Judah was YHWH and remained so throughout the rest

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[36] On Deut 20:10–14, 19–20 see, e.g., E. OTTO, "Völkerrecht im Alten Orient und in der hebräischen Bibel," in *Altorientalische und biblische Rechtsgeschichte: Gesammelte Studien* (BZAR 8; Wiesbaden: Harrassowitz, 2008), 433–455, here 446–450; and cf. J.L. WRIGHT, "Warfare and Wanton Destruction: a Reexamination of Deuteronomy 20:19–20 in Relation to Ancient Siegecraft," *JBL* 127 (2008), 423–458, here 445–458. On Josh 6–11, see, e.g., K.L YOUNGER, *Ancient Conquest Accounts: A Study in Ancient Near Eastern and Biblical History Writing* (JSOTSup 98; Sheffield: JSOT Press, 1990); NA'AMAN, "Conquest of Canaan" (see n. 14), 249–256.

[37] See, e.g. T. RÖMER, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London: T&T Clark, 2005), 82–90; cf. KNAUF, *Josua* (see n. 5), 17–18.

of the first millennium B.C.E. Given the gap of about seven hundred years between the time of the exilic Deuteronomists and the period they sought to describe, they could only construct a fictive image of the premonarchic inhabitants of Palestine by appropriating antiquarian traditions that might vaguely reflect late Bronze Age places and peoples.[38] The names of the "pre-conquest" peoples of Canaan were probably selected for their antiquarian and foreign flavor, in order to mark their "otherness" when compared to YHWH's people. Following the demise of Judah as an independent kingdom, Judeans were challenged to retain their identity in the face of diaspora on the one hand and new geopolitical realities in the Cisjordan provinces on the other. The utopian ideal of the complete conquest of Canaan by YHWH's people along with the obliteration of the supposedly indigenous "other" could provide an ideological basis for maintaining a Judean identity both within diaspora communities and among those remaining in Babylonian-period Yehud. In my opinion, this background provides the best context for the theoretical *ḥērem* stipulations in Deut 20:15–18 and for the revision of the conquest narratives in Josh 8:24b, 26–28; 10:28–40; 11:1–15 that were now designed to show how the theoretical stipulations were carried out long ago.[39]

New tensions arose in the Persian period as members of the Persian diaspora relocated to Yehud, where their claims of an ancestral patrimony undoubtedly were challenged by the different communities who dwelt in Yehud throughout the Babylonian and early Persian periods.[40] Against the background of conflicting land claims, those who maintained a Judean identity in the diaspora and now found themselves a minority in Yehud could identify with the conquest story that marginalized the indigenous "other." At the same time, there was no ignoring the fact that the indigenous "other" of the Persian period – the so-called "people of the land" (עם הארץ) – did in fact worship YHWH. This common denominator undermined the rationale of the utopian *ḥērem* ideology and must have required the former diaspora Judeans to revise the ideological support for their relations with those who had remained in Yehud. Therefore it seems plausible that the uncompromising *ḥērem* ideology calling for an annihilation of the indigenous "people of the land" was replaced by the prohibition of connubium and by the utopian notion that YHWH himself, rather than the people of Israel, would eventually dispossess and expel them.

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[38] See NA'AMAN, "Conquest of Canaan" (see n. 14), 239–243; J. VAN SETERS, *A Law Book for the Diaspora: Revision in the Study of the Covenant Code* (Oxford: Oxford University Press, 2003), 77; ROSE, *5. Mose. Teilband 1* (see n. 17), 250.

[39] Cf. ROSE, *5. Mose. Teilband 1* (see n. 17), 243, 252.

[40] See, e.g., H. TADMOR, "The Origins of Israel as Seen in the Exilic and Post-Exilic Ages," in *Le Origini di Israele* (Roma: Accademia Nazionale dei Lincei, 1987), 15–27.

This move is reflected by texts that reflect Deuteronomistic themes and language but reformulate the exilic Deuteronomistic stance to fit the later changes in Persian-period social reality, as exemplified by Exod 23:23–33; 34:10–16; Deut 7:1–6*; and Judg 2:1–5.[41] Thus, Deut 7:3–4 rejects the inclusive outlook of the early Deuteronomic rule permitting marriage with a captive girl (Deut 21:10–14) in favor of total separation from the people of the land. However, Deut 7:1–6 requires some further comment in this context, since it seemingly combines two mutually exclusive themes: the *ḥērem* injunction (v. 2b) and the prohibition of connubium (vv. 3–4). Surely there is no need to specifically prohibit intermarriage if the people of the land are to be annihilated.[42] The prohibition of connubium is firmly anchored in its context since the prohibition at the beginning of v. 3 ("You *shall not* marry them") finds its complementing antithesis at the incipit of v. 5 ("But *this is what you shall do* to them"). By contrast, all of v. 2 appears to be intrusive.[43] Accordingly, I think that the *ḥērem* stipulation in v. 2 is a very late scribal insertion intended to realign or harmonize the post-Deuteronomistic sermon in Deut 7:1–6 with the Deuteronomistic provision in Deut 20:15–18. This type of scribal activity probably reflects a protocanonical stage when the authority of the book was such that subsequent copyists sought to level out inconsistencies between its constituent parts.

The story of the sack of Shechem carries the polemic against the people of the land a step further. Jacob's sons reject the offer of connubium (Gen 34:9; cf. Deut 7:3) and instead treat Shechem in Gen 34:25–29 according to the Deuteronomic rule of war (Deut 20:13–14), although the case of the unsubmissive town is hardly applicable in this instance. However, the polemic in this story is double-edged, as can be seen from its closing remarks in Gen 34:30–31. While the former diaspora community encouraged separatism, they were a minority and undoubtedly identified with the sentiments placed in Jacob's mouth (v. 30). In these circumstances, the attitude toward the indigenous "other" as expressed by both the early Deuteronomic law in Deut 20:10–

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[41] Cf. E. BLUM, "Das sog. 'Privilegrecht' in Exodus 34,11–26: Ein Fixpunkt der Komposition des Exodusbuches?" in *Studies in the Book of Exodus: Redaction, Reception, Interpretation* (ed. M. Vervenne; BETL 126; Leuven: Leuven University Press/Peeters, 1996), 347–366, here 360–366; VAN SETERS, *Law Book* (see n. 38), 77–78. Regarding Dtr influence upon Exod 23:13–33, and 34:11–26, see L. PERLITT, *Bundestheologie im Alten Testament* (WMANT 36; Neukirchen-Vluyn: Neukirchener, 1969), 219–226.

[42] See, e.g., G. SCHMITT, *Du sollst keinen Frieden schliessen mit den Bewohnern des Landes: Die Weisungen gegen die Kanaanäer in Israels Geschichte und Geschichtsschreibung* (BWANT 91; Stuttgart: Kohlhammer, 1970), 136–137; NELSON, Deuteronomy (see n. 17), 98–99.

[43] Cf. ROSE, *5. Mose. Teilband 2* (see n. 25), 331–341; NIELSEN, *Deuteronomium* (see n. 17), 94–97.

14 and its Deuteronomistic revision in vv. 15–18 could not provide a pragmatic platform for the diaspora community's existence in Yehud.

Finally, we return to the story of the Gibeonites' ruse in Josh 9, with its satire on *ḥērem* ideology. On the one hand, the narrative does uphold the representation of the Gibeonites as an indigenous "other," but on the other hand it undermines the rationale of the *ḥērem* injunction and the Deuteronomistic-related prohibition of connubium. Deuteronomy 20:18; 7:4; Exod 23:24; 34:15–16 all base the demand for separatism on the presumption that the peoples of the land would entice YHWH's people to follow other gods and adopt non-Yahwistic cults. It might be argued that the Gibeonites are depicted as a parody of the figure of a pious foreigner, but anyone familiar with the Deuteronomistic ideology must still be surprised to find that the complication in the story's plot is resolved by dedicating them to the service of YHWH's sanctuary. Even if the story's conclusion is intended as some sort of etiology for the origin of cult servants, it still flies in the face of an ideology that calls to eradicate, or at least remain apart from, the indigenous "others," since their cultic practices deviate from those authorized by the Deuteronomists. Accordingly, the story rejects not only the *ḥērem* ideology but also its rationale, and implicitly provides a platform for a more inclusivist attitude by the former diaspora community toward the "indigenous" YHWH-worshiping populace of Yehud.

This investigation into the meaning and purpose of the story of the Gibeonites' ruse ultimately shows how Deuteronomy has been subject to reinterpretation by different biblical scribes from the time the Deuteronomic law code was initially composed to its latest stages before it took on its canonical form. Throughout the different stages of its reinterpretation, Deuteronomy exerted its influence upon the shape of other sets of scrolls, both within the Deuteronomistic History and within the Pentateuch, as I have shown in my attempt to trace the evolution of the attitude toward the indigenous "other." In light of the limited extent of this study, it can hardly be expected to provide a basis for far-reaching conclusions regarding the general relationship between Deuteronomy and its literary contexts. However, I think it would be safe to conclude that Deuteronomy provides the starting point for the dialectic about the "peoples of the land." Certainly, the suspect attitude toward the "other" that we encounter in the Deuteronomistic and post-Deuteronomistic revisions of Deuteronomy is hardly shared by the Moses *Vita*, which sees nothing problematic in the marriage of Moses to the daughter of a Midianite priest.[44] On this lim-

[44] Jethro's ethnicity and relation to Moses are mentioned no less than fifteen times in Exod 3:1; 4:18; 18:1–27, with no hint of censure. By contrast, the figure of Moses's father-in-law is conspicuously absent from the Deuteronomistic narrative framework of Deut. This is best accounted for, in my opinion, by assuming that the Deuteronomist chose to ignore a problematic tradition. The alternate possibility – that is, a post-Deuteronomistic Yahwist (J)

ited basis, I would view Deuteronomy as a new and independent work that presumes some shape of an earlier tradition, rather than as an extension of earlier work. At the same time, the authority of Deuteronomism impacted the scrolls of both the Pentateuch and the Deuteronomistic History long after the original composition of the Deuteronomic law code, presumably in the late seventh century B.C.E.[45]

To conclude, the evaluation of the relationship between the story of the Gibeonites in Josh 9 and its various intertexts shows how the story played a role in the changing boundaries of the early biblical corpus. The Gibeonite alliance is presumed by Josh 10:1–4; therefore, a story dealing with the alliance must have been composed along with the initial conquest narrative in Josh 6*–10 in order to illustrate the application of the early Deuteronomic rule of war in Deut 20:10–14. Thus, the early story of the Gibeonite alliance may reflect a corpus that comprised the early editions of Deuteronomy and Joshua that eventually were expanded and subsumed into a Deuteronomistic History composed in the Babylonian period. However, the present story in Josh 9 revolves entirely around the ruse designed to circumvent the *ḥērem*, and accordingly, the story of the Gibeonites' trick interacts with the later revision of the law in Deut 20:15–18. But this story does not seem to have been formulated in order to illustrate the consequences of abrogating the rule of *ḥērem*, since the Gibeonites are ultimately spared and the Israelites are neither condemned nor punished for their negligence. Instead, the story of the Gibeonite ruse was devised as a post-Deuteronomistic satire on the rule of *ḥērem*. The late frame of reference of the story is borne out by the fashion in which it interacts with the late exilic (and possibly postexilic) Deuteronomistic strata of Deuteronomy and Kings. With the Priestly revision of the story, attention was drawn to a hexateuchal context for the story, since the Priestly idiom in the story appears elsewhere only in the Pentateuch.[46] Finally, the analogies between the Gibeonite ruse and the story of the sack of Shechem invite one to relate to the Hivites, Gibeon, and Shechem within the broader context stretching from Genesis to Kings.

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invented Moses's Midianite father-in-law and introduced him into his elaboration of the origin of the judiciary (Exod 18:1–27, cf. Deut 1:9–18) – is far from conclusive; but cf. J. VAN SETERS, *The Life of Moses: The Yahwist as Historian in Exodus–Numbers* (Louisville: Westminster John Knox, 1994), 209–219.

[45] For recent reaffirmation of the consensus position regarding the Josianic origin of the Deuteronomic law code, see E. OTTO, *Das Deuteronomium: Politisches Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin: de Gruyter, 1999); VEIJOLA, *Das 5. Buch Mose* (see n. 25), 2–6; RÖMER, *So-Called Deuteronomistic History* (see n. 37), 73–81, with additional literature there.

[46] Cf. KNAUF, *Josua* (see n. 5), 92, who assigns the bulk of the story to a post-Priestly Hexateuch redaction.

Deuteronomy and 1–2 Kings in the Redaction of the Pentateuch and Former Prophets

Juha Pakkala

Introduction[1]

The discussion concerning the relationship between different books of the Pentateuch and the Former Prophets has been lively in recent research as many traditional conceptions, widely accepted for decades, have been challenged. Some scholars have characterized the current situation as a battlefield,[2] and it is increasingly difficult to say anything without being fired at from many directions.

Without having a bulletproof vest, I will, nonetheless, venture to discuss the close relationship of two works central to this discussion, Deuteronomy and 1–2 Kings, and their relationship with other books of the Pentateuch and the Former Prophets. The connections between Deuteronomy and 1–2 Kings are well known, but I will argue that they also developed in close proximity to each other and were transmitted and edited by the same scribal circles, if not the same scribes. Their connection is highlighted by the different redaction histories of other parts of the Pentateuch and the Former Prophets. The early transmission and evolution of Deuteronomy and 1–2 Kings especially appear to be distinct from all other books.

The main focus of this paper will be on the criticism of what is considered apostate behavior in these books. Deuteronomy and 1–2 Kings develop very similarly in their position toward the location of the cult and in their criticism of illegitimate cults and other gods. Both works show a similar development of conceptions in this respect, whereas the other books under investigation seem to be familiar with a late stage of this development and probably adopted it from Deuteronomy and 1–2 Kings.

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[1] I thank Christoph Levin for his constructive comments concerning this paper.

[2] T. RÖMER, "Cult Centralization in Deuteronomy," in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk* (ed. E. Otto and R. Achenbach; FRLANT 206; Göttingen: Vandenhoeck & Ruprecht, 2004), 168–180.

Concentrating on one general theme has the advantage of providing a narrower focus on the complex redaction histories of these books. Although this may be seen as a limiting factor, it should be noted that the Deuteronomistic texts, phraseology, themes, and ideology had considerable impact on later texts and literature.[3] Scholarship has found passages influenced by Deuteronomism or Deuteronomy in most books of the Hebrew Bible, and many scholars have accordingly voiced concerns about the ubiquitous and imprecise use of the terms Deuteronomism and Deuteronomistic.[4] Many themes, phrases, and words traditionally characterized as Deuteronomistic remained unchanged for centuries.[5] In some cases, Deuteronomistic phrases were adopted verbatim, although it is unequivocally clear that the text cannot be dated to the time of classical Deuteronomism. Perhaps the best-known late example of this is the second century B.C.E. book of Baruch, parts of which consist of phrases taken from Deuteronomy,[6] but comparable examples are found in other late books as well (for example, Dan 9; Ezra 9, and Add Esth C in the Greek versions of Esth).

Despite these problems, Deuteronomisms and Deuteronomistic ideology and phraseology have been central in the discussion about the development, shared editing, and compositions of the Pentateuch and the so-called Deuteronomistic History. What are understood as Deuteronomistic features in 1–2 Samuel or Joshua, for example, have been used to argue for a close connection with Deuteronomy or 1–2 Kings.[7] This leads us to the importance of focusing on cultic issues, because here Deuteronomy and 1–2 Kings show a development that makes it possible to distinguish between different editors or

[3] See, e.g., the contributions by Beentjes, Borchardt, Marttila, Pajunen, Voitila, and Weeks in H. VON WEISSENBERG *et al*. (eds.), *Changes in Scripture* (BZAW 419; Berlin: de Gruyter, 2011).

[4] N. LOHFINK, "Gab es eine deuteronomistische Bewegung?" in *Jeremia und die "deuteronomistische Bewegung"* (ed. W. Gross; Weinheim: Beltz Athenäum, 1995), 322; K. SCHMID, "Das Deuteronomium innerhalb der 'deuteronomistischen Geschichtswerke,'" in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk* (ed. E. Otto and R. Achenbach; FRLANT 206; Göttingen: Vandenhoeck & Ruprecht, 2004), 193–211, here 194–195.

[5] For example, the late Deuteronomistic emphasis on the Law has been a popular theme in recent literature. In this topic it is often difficult to observe substantial differences between the older Deuteronomism and its later use.

[6] See M. MARTTILA, "The Deuteronomistic Ideology and Phraseology in the Book of Baruch," in *Changes in Scripture* (ed. H. von Weissenberg *et al*.; BZAW 419; Berlin: de Gruyter, 2011), 321–346, here 323–336

[7] For example, Josh 1:1–18 and Josh 23. For discussion on Josh 23, see below.

editorial stages.[8] This provides an opportunity to be more precise about the connections between the books in question.

I will proceed by providing examples of the shared redaction history in Deuteronomy and 1–2 Kings that suggests that these two works largely developed hand in hand. I will then discuss the passages in Joshua, Judges, and 1–2 Samuel (hereafter Josh–2 Sam) that could pose a challenge to my argument. With the same approach, the relationship between the Tetrateuch and Deuteronomy will also be discussed.

It is necessary to emphasize that the perspective taken here is primarily based on composition-critical (*Literarkritik*) as well as redaction-critical analyses. It is one perspective, and other perspectives may or may not come to the same conclusions. Moreover, the redaction histories of all books in question are very complicated; the texts were harmonized and there is considerable later "noise" from many successive editors. This may blur the view. Despite these reservations, I believe the approach taken here provides information about the development and relationships of the books in question that we otherwise would not have.

Redaction History of Deuteronomy and 1–2 Kings

Although its nature is disputed, it is evident that there is a close connection between Deuteronomy and 1–2 Kings. My interest lies in the similarities between their redaction histories, and considerable work has been done in this area. Many scholars have argued that the same redactors, or redactors with similar theological conceptions, were active in both compositions. For example, some scholars of the Göttingen School have suggested that both Deuteronomy and 1–2 Kings were edited by what are called DtrH, DtrN, and $DtrN^2$.[9] Thomas Römer has recently argued that Deut 12 and 1 Kgs 8 "were systematically composed in relation to each other," and he further notes that "Deut 12 clearly opens a theological pattern which is then resumed in Kings."[10] On the other hand, some scholars have denied these connections. For example, Eckart Otto asserts that "up to now nobody has succeeded in correlating the

[8] It is certainly possible or even probable that there were developments in other themes as well, but it lies beyond the scope of this paper to explore them.

[9] For example T. VEIJOLA, *Das 5. Buch Mose: Deuteronomium Kapitel 1,1–16,17* (ATD 8/1; Göttingen: Vandenhoeck & Ruprecht, 2004), 3–5. Many other scholars of this school have assumed that DtrH is missing in Deut.

[10] RÖMER, "Cult Centralization" (see n. 2), 178. On the other hand, he then assumes that this theological pattern "characterizes the DH as a distinct literary collection." Although Römer may be right in arguing for close parallels between the redaction histories of Deut and 1–2 Kgs, the books in between should be treated as a separate case.

literary layers of Deuteronomy with those of the DtrH."[11] Instead, Otto assumes that Deuteronomy is strongly connected with the Tetrateuch and Joshua, which then leads him to instead propose a Hexateuch theory. However, when we focus on the development of conceptions toward the cult and other gods, it would be difficult to deny an especially close connection between Deuteronomy and 1–2 Kings. This connection sets them apart not only from the Tetrateuch but also from all other books of the Hebrew Bible.

The main theme of the basic text of the first editions of both Deuteronomy and 1–2 Kings is the location of the cult.[12] Any challenge to the cult centralization was regarded as one of the most severe sins, if not the most severe sin. Despite the evident relationship in theme, it is puzzling why the oldest edition of Deuteronomy and the history writer's edition of 1–2 Kings use different vocabulary and phraseology in discussing the theme. The *Urdeuteronomium* never refers to the high places (במות),[13] which the history writer asserted to be the main problem. On the other hand, the history writer's edition of 1–2 Kings never unequivocally refers to Deuteronomy or uses the central phraseology of Deut 12 when judging the kings for violating the cult centralization. There is no evidence that the history writer referred to the Law at all, which would be peculiar if he was writing in view of Deuteronomy. What would be a better way to authorize his evaluation of Israel's kings than to appeal to the Law? This may imply that Deuteronomy was created only after the first edition of 1–2 Kings, a solution suggested by some scholars.[14] One should not exclude the possibility that Deuteronomy was, at least in part, composed in order to justify the theological conceptions of 1–2 Kings.

Regardless of the original literary relationship between the *Urdeuteronomium* and the history writer's edition of 1–2 Kings, the proximity of the theo-

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[11] E. OTTO, "The Pentateuch in Synchronical and Diachronical Perspectives," in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk* (ed. E. Otto and R. Achenbach; FRLANT 206; Göttingen: Vandenhoeck & Ruprecht, 2004), 14–35, here 25.

[12] Although laws with other interests were certainly part of the oldest edition as well, centralization is clearly the main theme and many other themes are closely connected or secondary to it. For example, the laws in Deut 16 that regulate the feasts stress that one must only celebrate them in the place YHWH has chosen – see, e.g., VEIJOLA, *Deuteronomium* (see n. 9), 327–342. This discussion also depends on the analysis of Deut 13. Scholars who assume that Deut 13 was part of the original version of the book would have to assume that the attack on the other gods was a central motif of the original version of the book, but this is unlikely. For discussion and literature on Deut 13, see J. PAKKALA, *Intolerant Monolatry in the Deuteronomistic History* (PFES 76; Helsinki: Vandenhoeck & Ruprecht, 1999), 19–49.

[13] Two more recent verses in Deut use the word במות, but there is no criticism of Israel's cult heights. Deut 32:13 uses it in a general sense of "height" without any cultic connotation, while Deut 33:29 refers to cult sites of Israel's enemies.

[14] Thus, for example, SCHMID, "Deuteronomium" (see n. 4), 205, 208–209, although he implies that the evaluation of the kings in 1–2 Kgs probably derives from monarchic times.

logical conceptions implies that they were created in the same ideological milieu and context.[15] The idea of centralization is revolutionary and the emergence of the same idea in two different contexts would be exceptional. That the documents emerged in the same circles is also suggested by their later redaction history that implies that they were available to the same scribal group, which edited and transmitted them together.

After their earliest phase of composition, Deuteronomy and 1–2 Kings were edited by successive redactors who fundamentally changed the books' theological profiles to point in a similar direction. Instead of the location of the cult, successive editors gradually shifted the focus to the other gods and foreign cults. In many passages the location and content are both present, but a closer look reveals that the interest in the content is more recent than concern over its location. Moreover, the subtle development of conceptions toward the other gods is analogous in Deuteronomy and 1–2 Kings. Similar additions that gradually changed the conceptions about the other gods were made to both compositions.[16]

Deuteronomy

A prime example of the shift in emphasis from the location of the cult to its content can be found in Deut 12. The oldest editorial stages of the chapter in vv. 13–18, 21[17] are focused on the centralization, while the additions in the framing of the chapter in vv. 2–7 and 28–32 primarily attack the cult itself. By placing large additions at the beginning and the end of the chapter, the later editors tried to divert the reader's attention from the original theme to new topics.[18] As the redaction history of this chapter is well known and generally accepted, the details need not be repeated here.[19] Deuteronomy 12:2–7 is a

[15] Despite the differences, it is clear that both restrict sacrifices to one place.

[16] The same editors also introduced the centrality of the Law in defining the relationship between YHWH and Israel. Instead of sacrifices, which were central in the oldest editions of these books, the observance of the Law became the main way to worship YHWH. Previous research has often referred to these editors with the designation DtrN.

[17] For example, according to VEIJOLA, *Deuteronomium* (see n. 9), 263–279, the oldest layer of the chapter consisted of Deut 12:13–14, 17–18, 21*. Many scholars assume that v. 21 was not part of the oldest text.

[18] For example, the author of vv. 2–7 placed the theme most important to him at the very beginning of his addition. Vv. 5–7 do refer to the centralization, but it is buried by the new themes. V. 2 insinuates that the other places (מקמות) belong to foreign nations and their cults.

[19] For a more detailed reconstruction of the chapter's redaction history, see VEIJOLA, *Deuteronomium* (see n. 9), 262–279. A similar editorial development of the chapter has been as-

prime example of the classical criticism of the other gods and cults found in many other parts of the book.

The classical criticism of the other gods implies that the other gods are real. There is no indication that their existence or power was challenged or questioned in this phase, and instead, other reasons are given why the other gods should not be worshipped by the Israelites. Not only would the other gods be a challenge to YHWH (Deut 5:7, 9), but they were also assumed to be gods of other nations (Deut 7:1–6; 12:1–7, 28–32). Israel had its gods, while the other nations had theirs (Deut 4:19; 29:25). Cults that were rejected were portrayed as foreign and therefore illegitimate. For example, the worship of Asherah, Baal, holy trees, astral bodies and the *maṣṣebot*, belonged to this category (Deut 4:3; 7:4–5; 12:2–7, 28–32; 17:3, etc.).[20] Behind the prohibition of worshipping other gods is a motif to separate Israel from the other nations. Accordingly, the editors wanted to make a connection between the assimilation of Israel with other nations and the worship of their gods.

The classical phase consists of successive editors with similar but not identical conceptions. The most recent additions often contain more detail as to what should be included as unacceptable foreign cults. There are also new ideas. For example, some editors placed the other gods within the framework of a covenant between YHWH and Israel, which was modeled after contemporary vassal treaties.[21] Israel was seen as the vassal and YHWH the overlord, while the other gods represented the other lords to whom Israel was not allowed to pay allegiance (Deut 13).[22] Because of the similarity of the basic theological conceptions, however, it is often difficult to distinguish between the different editors of the classical phase. In any case, their imprint on the "final" text of Deuteronomy is substantial (especially in Deut 4–13, 17, and 28–29).

After the classical phase, later editors began to emphasize the material aspect of the other gods. Their power and divinity were undermined, and this initiated the development whereby they were eventually reduced to idols. These texts can, in most cases, be identified as later additions to the classical

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sumed by many scholars and has become generally accepted; see for example, RÖMER, "Cult Centralization" (see n. 2), 169–175.

[20] It is probable that these cults were practiced as Israelite or Judean during monarchic times. Their characterization as foreign is a later idea that has other ideological and theological motives.

[21] The dating of the political treaties' influence on Deut has been extensively explored in recent scholarly discussion. For example, C. KOCH, *Vertrag, Treueid und Bund* (BZAW 383; Berlin: de Gruyter, 2008); for a review of research history, see pp. 2–14.

[22] The application of political models or political treaties to the relationship between Israel and YHWH may not represent the oldest editorial stage that attacked the other gods, but it is still part of the classical attack on the other gods.

attack on the other gods, and a well-known case is found in the Decalogue. The older commandment not to worship other gods in Deut 5:7 has been expanded in v. 8 with a prohibition against making an idol. Originally v. 7 was continued in v. 9, as argued by many:[23]

7 לא יהיה־לך אלהים אחרים על־פני
8 לא־תעשה־לך פסל כל־תמונה אשר בשמים ממעל
ואשר בארץ מתחת ואשר במים מתחת לארץ
9 לא־תשתחוה להם ולא תעבדם כי אנכי יהוה אלהיך אל קנא
פקד עון אבות על־בנים ועל־שלשים ועל־רבעים לשנאי

The editor behind v. 8 may not have intended to identify idols with other gods, but after the addition, the reader would easily make the connection and possibly assume that the other gods and the idols are on the same level. Additions and passages such as this may be behind the development that later led to the rejection of the other gods' divinity.

The criticism of idols – with its various subtle differences deriving from several authors – was only a middle stage in the development toward monotheistic conceptions. The most recent passages in Deuteronomy that deal with the other gods either imply or make explicit that YHWH is the only real God and that the other gods do not exist at all. This position can be found especially in Deut 4:32–40 and 7:7–11. Both chapters are also good examples of the development of conceptions that took place in Deuteronomy.

In the oldest text of Deut 7, the other gods and foreign cults are criticized in vv. 1–6.[24] These verses represent the classical phase, and here different aspects of the illegitimate foreign cult are listed. A later editor added vv. 25–26 to the end of the chapter, emphasizing especially the material aspect of the other gods and what danger the idols would pose to Israel. This addition is dependent on the older text in vv. 1–6, but the editor repeated the aspect he saw as particularly dangerous and developed it further. The terminology of

[23] For example, W. ZIMMERLI, "Das zweite Gebot" in *Gottes Offenbarung: Gesammelte Aufsätze zum Alten Testament* (TB 19; Munich: Kaiser, 1963), 234–248, here 235, and VEIJOLA, *Deuteronomium* (see n. 9), 156–158.

[24] In Deut 7:1–6, the idea of separating Israel from other nations (in vv. 1–3, 6) is probably older than the commandment to destroy their cult objects (vv. 4–5). A later editor assumed that the cultic union with other nations is closely connected with assimilation and therefore added a note that intermarriage would lead the Israelites to the worship of other gods. The editor also added an order to destroy their cult objects. It is probable that the connection between intermarriage and the worship of the other gods was originally made in this passage. For a detailed exegesis of this passage, see VEIJOLA, *Deuteronomium* (see n. 9), 193–199, and PAKKALA, *Intolerant Monolatry* (see n. 12), 92–96. This passage has also been very influential throughout the Hebrew Bible. Other passages connecting these themes are directly or indirectly dependent on Deut 7:1–6, for example, Ezra 9–10.

these verses differs from the older attack on the other gods and cults.[25] That we are dealing with an addition is also seen in the way that the reference to the statues is repeated in v. 25.

5 […] ופסיליהם תשׂרפון באשׁ […]
25 פסילי אלהיהם תשׂרפון באשׁ לא־תחמד כסף וזהב עליהם ולקחת לך
פן תוקשׁ בו כי תועבת יהוה אלהיך הוא
26 ולא־תביא תועבה אל־ביתך והיית חרם כמהו שׁקץ תשׁקצנו
ותעב תתעבנו כי־חרם הוא

The latest editing of the chapter can be found in vv. 7–11, which already contain monotheistic features. YHWH is asserted to be *the* God (v. 9: וידעת כי־ יהוה אלהיך הוא האלהים), implying that the other gods do not exist at all or are lesser gods than YHWH.[26] Although we are still far from a systematic monotheistic doctrine, it is possible to see the initial stages of monotheistic conceptions in passages like Deut 7:7–11.

Another illustrative example of the same development can be found in Deut 4. The chapter's older text only attacks the other gods, Baal in particular (vv. 1–4), while later editors emphasize the dangers of making idols and, later still, imply that YHWH was the only God. Making several references to the Law that the Israelites should obey, the basic text of Deut 4 already belongs to the later editorial stages of the book.[27] At least two late editors, the earlier one in vv. 15–16a, 19–20 and the later one in vv. 16b–18, expand this text and emphasize the importance of not making images and not worshipping the heavenly bodies. Building on the older prohibition of worshipping other gods, v. 19 specifies that the heavenly bodies are included in the prohibition. Verses 15–16a, on the other hand, introduced a prohibition against making an idol of a divinity. A later editor behind vv. 16b–18 further developed this prohibition to also include any anthropomorphic or zoomorphic images. In other words, these verses contain at least two successive literary phases that prohibit the making of idols. The first one made a general prohibition, whereas the latter specified the prohibition. For the author of vv. 16b–18 the idols have become the main concern, while the author of vv. 15–16a, 19, although already turn-

[25] In addition to the emphasis on the gold and silver of the idols, the use of the word שׁקץ especially is distinctive.

[26] For an analysis of the passage, see VEIJOLA, *Deuteronomium* (see n. 9), 206–208.

[27] For example, C. STEUERNAGEL, *Deuteronomium und Josua* (HAT; Göttingen: Vandenhoeck & Ruprecht, 1900), 15–19; A. PUUKKO, *Das Deuteronomium* (BWANT 5; Leipzig, 1910), 132–138; G. HÖLSCHER, "Das Buch der Könige, seine Quellen und seine Redaktion," in *EYXAPIΣTHPION: Studien zur Religion und Literatur des Alten und Neuen Testaments* (ed. H. Schmidt; FRLANT 36; Göttingen, 1923), 167–168. For a detailed analysis of this chapter, see D. KNAPP, *Deuteronomium 4* (GTA 35; Göttingen: Vandenhoeck & Ruprecht, 1987). Similarly VEIJOLA, *Deuteronomium* (see n. 9), 93–121. Early research already assumed that most of Deut 4 is late.

ing his attention to the idols, is also specifying the older criticism of the other gods by including the astral bodies as illegitimate.

15 ונשמרתם מאד לנפשתיכם
כי לא ראיתם כל־תמונה ביום דבר יהוה אלי־כם בחרב מתוך האש
16 פן־תשחתון ועשיתם לכם פסל תמונת
כל־סמל תבנית זכר או נקבה 17 תבנית כל־בהמה
אשר בארץ תבנית כל־צפור כנף אשר תעוף בשמים
18 תבנית כל־רמש באדמה תבנית כל־דגה אשר־במים מתחת לארץ
19 ופן־תשא עיניך השמימה וראית את־השמש ואת־הירח
ואת־הכוכבים כל צבא השמים ונדחת והשתחוית להם ועבדתם […]

Deuteronomy 4 was later expanded in vv. 32–40 by an editor with monotheistic conceptions.[28] With a phrase reminiscent of Deut 7:9, the author of these verses emphasized that YHWH is *the* God; however, now the author also specified that there is no other god.

(4:35) אתה הראת לדעת כי יהוה הוא האלהים אין עוד מלבדו
(4:39) וידעת היום והשבת אל־לבבך
כי יהוה הוא האלהים בשמים ממעל ועל־הארץ מתחת אין עוד

As has been shown by many scholars, these verses build on the older text in vv. 1–31[29] but also introduce new conceptions where the attention is shifted from the threat of the other gods and the danger of idols to the idea that YHWH is the only God and that the other gods do not exist.

Redaction History of 1–2 Kings

Although the redaction history of 1–2 Kings is notoriously difficult and debated,[30] additions with similar theological conceptions as in Deuteronomy can be found in 1–2 Kings. This connection is seen especially in the conceptions about the cult and divine that develop in a similar way. Although a literary connection between the *Urdeuteronomium* and the history writer's edition of 1–2 Kings may be uncertain, they are thematically connected, as already noted. As in Deuteronomy, later additions deal with the other gods, whereas even

[28] Besides possible minor additions and glosses, vv. 32–40 are usually assumed to form the latest addition to the chapter; thus, for example, KNAPP, *Deuteronomium 4* (see n. 27), 105–111; M. ROSE, *Der Ausschliesslichkeitsanspruch Jahwes* (BWANT 106; Stuttgart: Kohlhammer, 1975), 491, and VEIJOLA, *Deuteronomium* (see n. 9), 114–118.

[29] Especially KNAPP, *Deuteronomium 4* (see n. 27), 105–111. Similarly also R.D. NELSON, *Deuteronomy* (Louisville: Westminster John Knox, 2002), 69–71, and VEIJOLA, *Deuteronomium* (see n. 9), 114–118.

[30] Many passages have been so heavily edited that it may never be possible to unlock them completely. This is especially the case for the central passages such as 2 Kgs 23.

further additions emphasize the material aspect of the other gods and some of the very latest additions claim that YHWH is the only God.

In the history writer's text of 1–2 Kings, the main criteria for evaluating the reign of a king was his position toward cult centralization. The kings of the North were also judged with regard to their position toward centralization. This is revealed by a closer look at 1 Kgs 12:26–31, which is misunderstood unless we recognize its later additions.

In the oldest version of 1 Kgs 12:26–31, Jeroboam challenged cult centralization by building local cult sites or sanctuaries on the high places. His main motive was to hinder the Israelites from going to Jerusalem to sacrifice, and this was Jeroboam's great sin according to this oldest version. Contrary to the scholarly consensus, there are good reasons to assume that the golden bulls were added by a later editor. In the history writer's text, Jeroboam primarily challenged Jerusalem as the place of sacrifice. With the addition of the golden bulls, the whole perspective changes to portray Jeroboam as an idol worshipper.[31] Assumed to have followed Jeroboam in his sin, all the other kings of Israel are rendered as idol worshippers.

It is not necessary to repeat the arguments and details of the composition and redaction-critical analysis of 1 Kgs 12:26–31; I have done that elsewhere.[32] I will merely review the development of the text. The oldest text can be found in vv. 26–27aαb (without והרגני), 28aα, and 31a, followed by 13:33b (without וישב) and 34a:

12:26 ויאמר ירבעם בלבו עתה תשוב הממלכה לבית דוד
27 אם־יעלה העם הזה לעשות זבחים בבית־יהוה בירושלם
ושב לב העם הזה אל־אדניהם [אל־רחבעם מלך יהודה והרגני]
ושבו אל־רחבעם מלך־יהודה 28 ויועץ המלך
ויעש שני עגלי זהב ויאמר אלהם רב־לכם מעלות ירושלם
הנה אלהיך ישראל אשר העלוך מארץ מצרים
29 וישם את־האחד בבית־אל ואת־האחד נתן בדן
30 ויהי הדבר הזה לחטאת וילכו העם לפני האחד עד־דן
31 ויעש את־בית במות [ויעש כהנים מקצות העם אשר לא־היו מבני לוי]
[…]
33 ויעש מקצות העם כהני במות החפץ ימלא את־ידו ויהי כהני במות
34 ויהי בדבר הזה לחטאת בית ירבעם

[31] With their emphasis on the material aspect of the idols, Jeroboam's bulls should be dated to the more recent stages in the development of conceptions about the divine. The other passages that criticize the making of a bull or bulls (in Exod 32 and Deut 9) are usually assumed to belong to a very late phase. Despite their implied importance in 1–2 Kgs, a reference to the bulls of Jeroboam was added only to two other passages, 2 Kgs 10:29 and 2 Kgs 17:16, and both in an awkward manner. This in itself supports the lateness of the motif of the bulls of Jeroboam. Other than these two glosses, the bulls are not mentioned after 1 Kgs 12.

[32] See J. PAKKALA, "Jeroboam without Bulls," *ZAW* 120 (2008), 501–525.

First Kings 12:26–31 is crucial for the rest of 1–2 Kings because the kings of Israel are said to have continued in Jeroboam's sin. Most scholars assume that Jeroboam's sin was to challenge YHWH himself or his cult, but this is a severe mistake that has confused our understanding of 1–2 Kings. With a recognition that in the oldest text Jeroboam only challenged Jerusalem as a cult place of sacrifice, many ambiguities in the evaluation of the kings are lifted. The kings of Israel were evil because they broke the cultic connection with Jerusalem and worshipped YHWH only at the (temples of the) high places (בתי במות).[33] The evaluation of most Judean kings is negative because they allowed the worship of YHWH on the high places; however, because they continued to worship YHWH in Jerusalem as well, they are judged to be less evil than their counterparts in Israel. Later editors disturbed this originally rather uncomplicated evaluation of the kings.[34]

Other passages in 1–2 Kings illustrate further aspects of the development. The destruction of Israel as described in 2 Kgs 17 shows how the focus was shifted from the location of the cult to its content. Like many turning points in Israel's history, this passage has attracted successive editing, which gradually changed the original perspective. According to the history writer's account in v. 21, the main reason for the destruction of the northern kingdom is the great sin of Jeroboam,[35] the meaning of which we have seen above. Instead of being the first one to be mentioned, this reference is found only after the long list of additions accumulated in successive stages in verses 7aβ–20.[36]

6 In the ninth year of Hoshea the king of Assyria captured Samaria; he carried the Israelites away to Assyria. He placed them in Halah, on the Habor, the river of Gozan, and in the cities of the Medes. 7 This occurred because the people of Israel had sinned against YHWH their God, [who had brought them up out of the land of Egypt from under the hand of Pharaoh King of Egypt].

> They had feared other gods 8 and walked in the customs of the nations whom YHWH drove out before the people of Israel [and in the customs that the kings of Israel had introduced]. 9 The people of Israel secretly did things that were not right against YHWH their God. They built for themselves high places at all their towns, from watchtower to fortified city; 10 they set up for themselves pillars and sacred poles on every high hill and under every green tree; 11 [there] they made offerings on all the high places, as the nations did

[33] The singular בית במות is probably a corruption.

[34] The political aspect also played a role in the evaluation of the kings, but it was less important than the kings' cult policy. For example, cooperation with Assyria seems to be interpreted negatively (for example, Ahaz and Manasseh), while rebellion against Assyria is seen in a positive light (for example, Hezekiah and Hosea of Israel).

[35] Note the singular here, which implies that the sin was a single event and not a series of different measures.

[36] Further additions are indented (older additions), in square brackets (short additions and glosses), or written in italics (additions that emphasize the material aspect of the other gods).

whom YHWH carried away before them. [They did wicked things, provoking YHWH to anger;]

12 *they served idols, of which YHWH had said to them, "You shall not do this."*
13 Yet YHWH warned Israel and Judah by every prophet and every seer, saying, "Turn from your evil ways and keep my commandments and my statutes, in accordance with all the law that I commanded your ancestors and that I sent to you by my servants the prophets." 14 They would not listen but were stubborn, as their ancestors had been, who did not believe in YHWH their God. 15 They despised his statutes, and his covenant that he made with their ancestors, and the warnings that he gave them.
They went after vain (gods) and became vain;
They followed the nations that were around them, concerning whom YHWH had commanded them that they should not do as they did.
16 They rejected all the commandments of YHWH their God and made for themselves cast image(s) [the two calves];
They made a sacred pole, worshiped all the host of heaven, and served Baal. 17 They made their sons and their daughters pass through fire; they used divination and augury; and they sold themselves to do evil in the sight of YHWH, provoking him to anger. 18 Therefore YHWH was very angry with Israel and removed them out of his sight; none was left but the tribe of Judah alone.
19 Judah also did not keep the commandments of YHWH their God but walked in the customs that Israel had introduced. 20 YHWH rejected all the descendants of Israel; he punished them and gave them into the hand of plunderers, until he had banished them from his presence.
21 When he had torn Israel from the house of David, they made Jeroboam son of Nebat king. Jeroboam drove Israel from following YHWH and made them commit great sin.
22 The people of Israel continued in all the sins that Jeroboam committed; they did not depart from them.

Many scholars have concluded that the history writer's text originally continued from vv. 6–7aα to 21 and that vv. 7aβ–20 were added later, albeit in several stages.[37] In addition to v. 21 being written as if the list of various sins in vv. 7aβ–20 did not exist,[38] it would be illogical that Jeroboam's sin is men-

[37] For example, I. BENZINGER, *Bücher der Könige* (KHC; Freiburg: Mohr, 1899), 174; E. WÜRTHWEIN, *1.Kön 17–2.Kön 25* (ATD 11/2; Göttingen: Vandenhoeck & Ruprecht, 1984), 392–397; E. AURELIUS, *Zukunft jenseits des Gerichts* (BZAW 319; Berlin: de Gruyter, 2003), 71–95; T. RÖMER, *The So-Called Deuteronomistic History* (London: T&T Clark, 2007), 121. For other solutions to the chapter, see, for example, W. DIETRICH, *Prophetie und Geschichte* (FRLANT 108; Göttingen: Vandenhoeck & Ruprecht, 1972), 41–46, and recently H.N. RÖSEL, "2 Kings 17 and the 'Deuteronomistic History,'" *JBL* 128 (2009), 85–90. Rösel assumes that all of vv. 7–23 are later than the history writer (at least in two stages), but it is unlikely that the history writer would provide no reason why Israel was destroyed. In Rösel's reconstruction, the history writer's text makes no reference to the main sin or to Jeroboam, and this is also the reason why part of vv. 7 and 21 must derive from the history writer.

[38] The verse implies that the preceding text explains why YHWH took Israel from the house of David. The verse therefore must refer to sins that took place before Jeroboam. V. 6 is the only alternative, while vv. 7aβ–20 refer to the sins that took place after Jeroboam. Ac-

tioned after a long list of other sins, when otherwise, in connection with most Israelite kings, this sin is mentioned as the main sin. Although the high places are also mentioned (v. 9),[39] in vv. 7aβ–20 the attention is overwhelmingly shifted to the content of the cult, which in the end buried the original reason. The phrases and vocabulary of these additions are closely related to Deuteronomy, and in fact, a comparison of 2 Kgs 17 and Deuteronomy shows that practically everything of which Israel is accused finds a corresponding passage in Deuteronomy:

	Deuteronomy	2 Kgs 17
Worship of other gods	*passim*, esp. 4–11; 12; 13; 17:2–7	7b
Customs of the nations	7:1–6; 12:2–6; 29–31	8
High places	12	9b, 11
Set up Massebot	7:5; 12:3; 16:22	10
Set up Asherim	7:5; 12:3; 16:21	10
Worship idols (גלולים)	4:15–18, 23, 25; 29:16	12
Disobey the commandments	*passim* (esp. chs. 4–11)	13–14
Ignore the covenant	4:23; 17:2; 28; 29	15
Follow vain gods (הבל)	32:21	15
Ignore/forget the commandments	*passim* (esp. chs. 4–11)	16
Make an idol (מסכה)	9:12–16 (Exod 32:4, 8)	16
Make an Asherah	7:5; 12:3; 16:21	16
Worship the Host of Heavens	4:19	16
Worship Baal	4:3	16
Sacrifice sons and daughters	18:10	17
Practice divination	18:11	18
Disobey the commandments	*passim* (esp. chs. 4–11)	19

Since the parallels between 2 Kgs 17 and Deuteronomy are evident and have been acknowledged in scholarship since the nineteenth century, there is no reason for detailed discussion here. Important for my argument is that the correspondences between Deuteronomy and 2 Kgs 17 were not created by one scribe but are the result of successive editing by several editors or scribes. In addition to the general shift from the location of the cult to its content, there are short additions to the older additions of the classical phase that shift attention to the material aspect of the other gods.[40] The other gods were now assumed to be idols (מסכה, גלולים) or vain gods (הבל). The reference to vain gods may imply incipient monotheistic conceptions.

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cording to v. 21, Jeroboam led Israel to the great sin, which caused the destruction of Israel. Vv. 7aβ–20 interrupt the connection between vv. 6–7aα and 21.

[39] The criticism of the high places is not found exclusively in the history writer's text. Adopting the theme from the older text, later editors also occasionally attack the high places. Cf. Lev 26:30; Num 33:52; and Deut 12:2–7.

[40] They are assumed to be additions by WÜRTHWEIN, *1.Kön. 17–2.Kön. 25* (see n. 37) and others.

Short additions that shift the attention to the idols can be found in other parts of 1–2 Kings as well. First Kings 14:9 is a good example of how the later editors had different conceptions about the other gods. In a message of YHWH to Jeroboam, the prophet Ahijah accuses the king of having made other gods and cast idols (ותעשׂה־לך אלהים אחרים ומסכות). The author identified the other gods with idols and implied that they are merely man-made objects. The history writer's text is found in 1 Kgs 13:34 to 1 Kgs 14:19–20, and 1 Kgs 14:1–18 is a later addition. Verses 1–18 were later expanded in vv. 7–11. The heavy editing is implied by the present text's inclusion of three messages from Ahijah to Jeroboam, the original one in vv. 12–14, later expanded in vv. 7–11, and further in vv. 15–16. It is possible that vv. 8–9 were edited even further, as suggested by some scholars, but our interest lies in the probability that the idols in v. 9 are a very late addition.[41]

A similar late addition can be found in 1 Kgs 21:26.[42] Verses 25–26 are poorly connected to their immediate context: vv. 22–24 prophesy the destruction of Ahab's family, followed by Ahab's reaction in v. 27. The connection between these verses is broken by vv. 25–26, which appear as an expansive repetition of v. 22 where the reason for the destruction of Ahab's family is already stated. Since vv. 22–24 and 27–29 are already late additions to the history writer's text,[43] vv. 25–26 must be ascribed to an even later stage. Instead of the other gods, v. 26 accuses Ahab of following idols (ללכת אחרי הגללים). The reference to the sins of the Amorites also distinguishes the verse from the classical attack on other gods (cf. Judg 6:7–10 below).

Some very late additions in 1–2 Kings contain monotheistic conceptions. According to 1 Kgs 8:60, YHWH is *the* God, and there is no other (יהוה הוא האלהים אין עוד). An identical phrase is found in Deut 4:35, as we have seen. Already the context of 1 Kgs 8:60 is generally late, but some scholars have assumed that vv. 59–60 are a further addition and, in any case, many scholars have identified these verses as one of the most recent additions to the book.[44]

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[41] In other words, it is a possible expansion of a late addition (vv. 7–11), which is also an expansion (vv. 1–18) of a text by the history writer. For further discussion and literature, see PAKKALA, *Intolerant Monolatry* (see n. 12), 157.

[42] Vv. 25–26 are assumed to be a late addition by HÖLSCHER, "Buch der Könige" (see n. 27), 158–213, here 196; WÜRTHWEIN, *1.Kön. 17–2.Kön. 25* (see n. 37), 252; G. HENTSCHEL, *1.Könige* (NEB.AT 10; Würzburg: Echter Verlag, 1984), 128; and R. BOHLEN, *Der Fall Nabot: Form, Hintergrund und Werdegang einer alttestamentlichen Erzählung (1Kön 21)* (TThSt 35; Trier: Paulinus, 1978), 318–319.

[43] See, for example, DIETRICH, *Prophetie und Geschichte* (see n. 37), 50–51.

[44] R.D. NELSON, *The Double Redaction of the Deuteronomistic History* (JSOTSup 17; Sheffield: JSOT Press, 1981), 72, assumes that these verses derive from an editor postdating what he identifies as Dtr^2. HÖLSCHER, "Buch der Könige" (see n. 27), 168, and HENTSCHEL, *1.Könige* (see n. 42), 63, also assume that these verses are post-Deuteronomistic. Hölscher

Monotheistic conceptions can also be found in 2 Kgs 19:15–19. In addition to אתה־הוא האלהים לבדך, which is reminiscent of Deut 4:35, 39; 7:9; and 1 Kgs 8:60, 2 Kgs 19:15–19 contains several phrases that imply monotheistic and late conceptions.[45] These verses derive from a late stage in the development of the book, and the editor may have been familiar with Deutero-Isaiah.[46] In addition to these two passages, perhaps the best-known example of monotheistic passages in 1–2 Kings is 1 Kgs 18:18–40, which also belongs to the later stages in the development of the book.

In addition to these further developments of conceptions, it should be noted that most of the additions in 1–2 Kings that attack the illegitimate gods and cults derive from the classical attack on the other gods, just as in Deuteronomy. These additions were made in several stages so that many passages contain series of closely related additions where the later additions are often more specific than the older text or where a certain aspect is emphasized. An example of such editing is 1 Kgs 11:4–6, which contains two successive additions to the chapter, v. 4 being older than vv. 5–6. Both criticize Solomon for his worship of the other gods: v. 4 refers to the other gods in general, while the later editor in vv. 5–6 is more specific and mentions Ashtart(e) and Milkom as the gods that Solomon followed.[47] It is often difficult to distinguish between the different editors who attack the other gods but who share the same basic conceptions. This is especially the case in 2 Kgs 23.

Dissimilarities with Joshua, Judges, and 1–2 Samuel

Successive editors of Deuteronomy and 1–2 Kings regarded the cult – its location or content – as the most important theme, and violation of it is criticized with an intense aggression and uncompromising vision. All kings in Kings are judged by evaluating their position toward the cult. The framing of Deuteronomy and the main laws primarily deal with the cult. In view of its centrality in Deuteronomy and 1–2 Kings, the limited interest in the same theme in Joshua–2 Samuel is significant. If one assumes that these books belong to the same composition, one has to explain why successive editors were

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suggests that vv. 54–61 are later than the already late basic text of the speech. According to E. WÜRTHWEIN, *Die Bücher der Könige 1 Kön. 1–16* (ATD 11/1; Göttingen: Vandenhoeck & Ruprecht, 1985), 96, the background of vv. 59–60 is a Diaspora community.

[45] Vv. 15 and 19 imply that YHWH created the heavens and the earth and is the Lord of all nations. According to v. 19, all nations should recognize YHWH's sovereignty.

[46] See, e.g., HÖLSCHER, "Buch der Könige" (see n. 27), 187.

[47] For details and analysis of this chapter, see P. SÄRKIÖ, *Die Weisheit und Macht Salomons in der israelitischen Historiographie* (PFES 60; Göttingen: Vandenhoeck & Ruprecht, 1994), 212–219.

fervently propagating certain theological conceptions in two books but seem to have paid little attention to them in other books. This is especially true of Judges–2 Samuel, whereas some sections of Joshua seem to show more interest in the same theme, similar to Deuteronomy and 1–2 Kings.

The centralization of the cult plays no role in Judges–2 Samuel, and, as is well known, several passages in these books imply the existence of cult sites throughout the country.[48] If assumed to be part of the same composition, it is peculiar that even after successive editors, the apparent tension with the cult centralization has not been harmonized in these books.[49] After Josh 22, a new interest in centralization sets in only from 1 Kgs 12 onward. Joshua 22:9–20 is the only passage in Joshua–2 Samuel that clearly refers to cult centralization, but even this passage may have an entirely different background than the centralization of Deuteronomy (see below).[50]

One could, with considerable reservations, accept this tension by appealing to the lack of a temple before Solomon[51] if the differences did not continue in the later editorial phases as well. Successive redactors attacked the other gods and foreign cults in Deuteronomy but left most parts of Joshua–2 Samuel (especially Judg 3–2 Sam 25) largely untouched and then continued the attack only in 1–2 Kings. In Deuteronomy and 1–2 Kings these themes are often repeated, are found in central passages, and are central to the entire composition, whereas in Judges–2 Samuel they are restricted to isolated additions that

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[48] For example, Shechem (Josh 24:26); Ophrah (Judg 6:24); Bethel (Judg 21:1–4); Shiloh (1 Sam 1); Ramah (1 Sam 7:17); Gibeon (2 Sam 21:6–9; 1 Kgs 3:4); Gibeah (1 Sam 10:5); Bethlehem (1 Sam 16:1–13; 20:6); Nob (1 Sam 21:1–10); an unnamed town (1 Sam 9); and Jerusalem (2 Sam 12:20; 22:7).

[49] The only attempt to harmonize the tension is found in 1 Kgs 3:2, which is most likely a late gloss. This verse rises out of the immediate tension between 1 Kgs 3:4, which has preserved a positive reference to the cult places, and 1 Kgs 3:3, which condemns them. According to WÜRTHWEIN, *1. Könige 1–16* (see n. 44), 28, v. 2 is a late gloss, which attempted to replace v. 3. Vv. 2 and 3 are partly repetitive. Since v. 3 is already a late addition to v. 4, it is apparent that v. 2 belongs to a very late stage. The same problem has been noted by many, recently J. HUTZLI, *Die Erzählung von Hanna und Samuel* (ATANT 89; Zürich: Theologischer Verlag, 2007), 222–265. However, Hutzli assumes that Deut and 1–2 Kgs are originally pre-587 B.C.E. documents (p. 230), which is unlikely. His otherwise important observations are time and again disturbed and weakened by the assumption of a Josianic or preexilic version of these books (e.g. on pp. 230–236, 243–245).

[50] Early research already assumed that Josh 22:9–30 is influenced by Priestly conceptions, and accordingly it was ascribed to Priestly or even later editors. Thus STEUERNAGEL, *Deuteronomium und Josua* (see n. 27), 236, and many others. According to A. KNAUF, *Josua* (ZBK 6; Zürich: Theologischer Verlag, 2008), 183–187, Josh 22 is a fifth century B.C.E. text that combines Priestly and Deuteronomistic vocabulary.

[51] However, the strictness of Deut on this matter and the fact that Deut does not refer to a temple but to a place undermines this assumption. Deut implies that even in templeless times one may only sacrifice in one place.

are not central to the story. Joshua is a special case because most of the book seems to be unaware of these themes, but there is a particularly heavy concentration of them in Josh 22–24, which will be discussed separately.

Most of the additions in Joshua–2 Samuel that do attack the other gods[52] belong to different editorial stages than the classical attack on the other gods in Deuteronomy and 1–2 Kings.[53] This is suggested by the following considerations: First, they use different terminology, or, in some cases, use terminology that in Deuteronomy and 1–2 Kings is found only in the more recent passages that criticize the illegitimate cults and gods. Second, in many cases their content is different and more related to the passages that emphasize the material aspect of the other gods or that contain monotheistic features. Third, some of them are clearly dependent on a late and edited version of a passage in Deuteronomy (e.g., Josh 23). Fourth, there is "empirical" evidence that the attack on the other gods in these books is very late. Each of these considerations will now be addressed individually.

Some passages in Joshua–2 Samuel criticize Baal and Asherah, but in a different way than in Deuteronomy and 1–2 Kings. Asherah is a central object of criticism in Deuteronomy and 1–2 Kings, whereas in Joshua–2 Samuel Asherah is met only in Judg 3:7 and 6:25–32. In Deuteronomy and 1–2 Kings, Asherah is primarily (fifteen times)[54] referred to as a tree or a cultic object that can be planted, set up, and burned.[55] These passages do not connect Asherah with Baal, but refer to Asherah independently or imply that it/she was part of the main cult, perhaps of YHWH. The only exception in Deuteronomy or 1–2 Kings is 1 Kgs 18:19, which implies that Asherah is a goddess, and here Asherah is also connected with Baal. First Kings 18:19 is usually assumed to be part of a very late passage.[56]

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[52] There are twelve to fifteen such passages in all these books (some of them are debatable as to whether they belong to this category).

[53] Many scholars have made similar observations on some parts of these books. E.g., RÖMER, *So-Called Deuteronomistic History* (see n. 37), 90–91, notes that "Judges […] has the fewest typically Deuteronomistic passages. These texts […] are generally regarded as rather late compositions."

[54] It is unclear whether the Asherah in 2 Kgs 23:4 refers to a goddess or a cultic object. Asherah is found in a list with Baal and the host of heaven. One could argue that there is a connection with Baal, but the passage is notoriously controversial.

[55] Deut 7:5; 12:3; 16:21; 1 Kgs 14:15, 23; 15:13; 16:33; 2 Kgs 13:6; 17:10; 18:4; 21:3; 23:6, 7, 14, 15. It is debated whether the Asherah in 2 Kgs 23:4 is a reference to a goddess or a tree. The items (כלים) of Asherah are not unequivocal in this respect.

[56] M. BECK, *Elia und die Monolatrie* (BZAW 281; Berlin: de Gruyter, 1999), 72, 80–87, 122, has argued that vv. 21–40 are postexilic and later than the classical Deuteronomistic theology. J. KEINÄNEN, *Traditions in Collision* (PFES 80; Helsinki: Finnish Exegetical Society; Göttingen: Vandenhoeck & Ruprecht, 2001), 39–141, 191–192, has shown that the rain and drought theme, which is evidently older than vv. 18–40, is already Deuteronomistic. Accord-

It is hardly a coincidence that Judg 3:7 and 6:25–32 connect Asherah closely with Baal.[57] Moreover, Judg 3:7 refers to Asherah in an exceptional way in the plural (ויעבדו את־הבעלים ואת־האשרות). The authors of the late passages that refer to Asherah already seem to have lost contact with the original cult and erroneously connect Asherah with Baal.

As for Baal, with one exception (1 Kgs 18:18), all passages in Deuteronomy and 1–2 Kings refer to this divinity with the singular, בעל, whereas most passages in Joshua–2 Samuel use the plural, בעלים.[58] It is, again, not a coincidence that the exception is found in 1 Kgs 18:17–40 (cf. above). One receives the impression that the use of the plural derives from a late period when direct contact with the real cult of the once-mighty divinity Baal had already been lost. He was now reduced to an object, which, it is implied, can be found in many copies throughout the country.

The singular form of Baal is used in Judg 2:13; 6:25–32; 8:33; and 9:4, but these passages have other distinctive features. In addition to Judg 6:25–32, which has already been discussed, Judg 8:33 and 9:4 refer to an otherwise unknown Baal Berit, but Judg 8:33 refers to the Baalim in the plural as well. Judges 2:13 is set apart from other passages by connecting Baal with Ashtarot.

The references to Ashtarot (pl. עשתרות) are peculiar. Mentioned five times in Joshua–2 Samuel (only in Judg and 1 Sam),[59] all of these passages use the plural. One of the passages, 1 Sam 31:10, refers to the Philistine temple of Ashtarot (also pl.) in Beth-Shan without any notable criticism of the divinity, whereas in the other passages the Ashtarot are mentioned with the Baalim (also pl.). In contrast, all passages in 1–2 Kings refer to the same divinity with the singular, עשתרת, and mention her as the goddess of Sidon (1 Kgs 11:5, 33; 2 Kgs 23:13). In other words, the use of the word in Judges and 1 Samuel is markedly different from its use in 1–2 Kings.

The authors of Judges and 1 Samuel seem to have lost contact with the real cult of the divinities they are criticizing and reduced them to idols (Ashtarot, Baalim, and Asherot). This already implies a very late setting and sets them apart from the related passages in Deuteronomy and 1–2 Kings, whose authors seem to be more familiar with the gods and the cults that they are criti-

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ing to him, the conflict between YHWH and Baal is post-Deuteronomistic. It should also be noted that vv. 17–20 may derive from another writer than that of the following narrative in verses 21ff. According to Keinänen (60–61), v. 17 was originally followed by v. 41.

[57] In Judg 6:25–32, Asherah is assumed to have been next to Baal's altar (עליו). In 1–2 Kgs, Asherah may be mentioned in the same passage with Baal, but there is no closer connection.

[58] Judg 2:11; 3:7; 8:33; 10:6, 10; 1 Sam 7:4; 12:10. The word is not used in Deut and Josh.

[59] Judg 2:13; 10:6; 1 Sam 7:3; 12:10; 31:10.

cizing. It is not a coincidence that in some cases the Chronicler has a plural for Baal and Asherah while the parallel text in 1–2 Kings uses the singular (for example, in 2 Kgs 21:3 vs. 2 Chr 33:3). This implies that the plural came to be preferred in later contexts. Smaller peculiarities in vocabulary are, for example, the use of אלהי הנכר (Josh 24:20, 23; Judg 10:16; 1 Sam 7:3) and תהו (1 Sam 12:21) to refer to the other gods. The use of the word תהו may imply monotheistic conceptions. With one late exception,[60] Deuteronomy and 1–2 Kings do not use the term אלהי הנכר.[61]

There are three passages in Joshua–2 Samuel that could be closely related to the classical criticism of the other gods of Deuteronomy and 1–2 Kings: Josh 23:6–16; Judg 2:1–3; and 1 Sam 8:8. Their treatment of the topic and vocabulary may be indistinguishable from passages in Deuteronomy and 1–2 Kings that criticize the other gods. However, even these passages may have a different origin.

Joshua 23:6–16, as the longest, is illustrative. As recently noted by E.A. Knauf and others, Josh 23 is a mosaic of Bible quotations.[62] In addition to Deuteronomy (the passage seems to be familiar with at least Deut 4–7; 10–11; 13; 17; 28), there are quotations of or allusions to other parts of the Pentateuch as well.[63] It seems that Josh 23 belongs to a late editorial phase that is using not only a late version of Deuteronomy but also an early version of the Pentateuch.[64] This sets it apart from 2 Kgs 17, for example, which is much

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[60] The only use of the term אלהי הנכר in these books is Deut 31:16, which is in many ways different from the typical attack on other gods. Many scholars assume that this passage is late. Vv. 16–22 break the evident connection between vv. 14–15 and 23 – see A.D.H. MAYES, *Deuteronomy* (NCB; London: Marshall, Morgan & Scott, 1979), 375 – but vv. 16–22 were also created in several stages. It seems probable that v. 16aα originally continued in v. 19. Vv. 20–21 partly repeat vv. 16–17. Both prophesy that the Israelites will worship other gods, which will then lead to disasters. Vv. 16aβ–18 are a later addition to this already late passage.

[61] Cf. also Gen 35:2–4, discussed below.

[62] KNAUF, *Josua* (see n. 50), 190. Nevertheless, many scholars assume that Josh 23 is Deuteronomistic. For example, STEUERNAGEL, *Deuteronomium und Josua* (see n. 27), 240; RÖMER, *So-Called Deuteronomistic History* (see n. 37), 82. It lies beyond question that the chapter contains strongly Deuteronomistic features, but it is probable that they were adopted rather late and do not derive from the classical attack on other gods.

[63] According to KNAUF, *Josua* (see n. 50), 190, the chapter may be familiar with Exod 14:13; 16:7; 19:4; 20:22; Lev 26:1–2 (v. 16); 26:3–38 (v. 15–16); Num 33:55 (v. 12). The author of the chapter may even be familiar with Ezra–Neh (cf. Ezra 9:14 and Josh 23:12) and Chr.

[64] Many scholars have assumed that Josh 23 is a later expansion that is not related to the preceding narrative that describes the conquest of the land. For example, V. FRITZ, *Das Buch Joshua* (HAT I/7; Tübingen: Mohr, 1994), 229.

more oriented toward Deuteronomy. Joshua 23 (and 24) may be an attempt to create links with different parts of the Pentateuch.

Judges 2:1b–5a has been acknowledged as a separate addition since the nineteenth century.[65] Budde noted that these verses were poorly written and put together "handwerkmässig" from different parts of the Pentateuch (Exod 3:17; 23:21–24, 33; 34:10–13; Num 33:55; Deut 31:16, 20).[66] The passage may be a late attempt to explain the name Bochim (v. 5b). It is significant that this passage, like Josh 23, is also evidently familiar with a late version of the Pentateuch. Some scholars have also suggested that Josh 23 and Judg 2:1–5 are closely related, possibly deriving from the same late editor.[67] These two passages and Josh 24 may be late attempts to tie Joshua to the Pentateuch by quoting and alluding to different parts of these books. This would provide an explanation for why we find such a concentration of passages that attack the other gods in Josh 23–Judg 2.[68] On the other hand, the LXX of Judg 2:2 shows that the attack on the illegitimate cults continued to be added to these books at a very late stage. The Greek version secondarily adds a reference to the other gods and images ([…] οὐδὲ τοῖς θεοῖς αὐτῶν προσκυνήσετε, ἀλλὰ τὰ γλυπτὰ αὐτῶν συντρίψετε καὶ τὰ θυσιαστήρια αὐτῶν καθελεῖτε […]), while the MT only refers to their altars (מזבחותיהם תתצון).

It may not be a coincidence that the immediately preceding chapter, Josh 22, is the only passage in Joshua–2 Samuel that is familiar with the centralization of the cult. It may be a similar attempt to review the main themes of the preceding text in the Hexateuch. The special features in these chapters as well as their tendency to quote many passages suggest that they should be regarded

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[65] For example, J. WELLHAUSEN, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments* (3rd ed.; Berlin: G. Reimer, 1899), 210; K. BUDDE, *Das Buch der Richter* (KHC 7; Freiburg: Mohr, 1897), 16–18; W. NOWACK, *Richter, Ruth u. Bücher Samuelis* (HAT 4; Göttingen: Vandenhoeck & Ruprecht, 1902), 14.

[66] According to BUDDE, *Richter* (see n. 65), 17, "Die Arbeit ist so minderwertig, dass man fragen muss, ob man den mehrfach geradezu unverständlichen Wortlaut nach jenen Stellen […] herstellen darf, oder ob die Mängel auf Flüchtigkeit des Verfassers beruhen." That these verses are dependent on many passages in the Pentateuch has been acknowledged by many others, e.g., U. BECKER, *Richterzeit und Königtum* (BZAW 192; Berlin: de Gruyter, 1990), 51–55, and W. GROSS, *Richter* (HTKAT; Freiburg: Herder, 2009), 159–165. On the other hand, according to T. VEIJOLA, *Das Königtum in der Beurteilung der deuteronomistischen Historiographie* (AASF B 198; Helsinki: Suomalainen Tiedeakatemia, 1977), 59, and others, the passage derives from what he calls the nomistic editors.

[67] BECKER, *Richterzeit und Königtum* (see n. 66), 56. According to Becker, the editor is late Deuteronomistic.

[68] The alternative would be to assume that these chapters received, for some reason, special attention from the editors of the classical attack on the other gods, who then forgot the theme until 1 Kgs, but this is improbable.

not as part of the classical attack on the other gods but as an attempt to tie Joshua to the Pentateuch.

Finally, there is also some empirical evidence for the assumption that the criticism of other gods in Joshua–2 Samuel belongs to the latest editorial stages of these books. One of these passages, Judg 6:7–10, lacks many of the typical features of the criticism of the other gods found in Deuteronomy and 1–2 Kings. Since early historical-critical scholarship, these verses have been suspected to be a late addition.[69] They fit loosely in their context and use distinctive vocabulary. The Israelites are criticized for worshipping the gods of the Amorites. That this passage is a very late addition is now strongly suggested by 4QJudg[a], which lacks these verses completely and continues directly from v. 6 to v. 11.[70] The addition was apparently so late that it is reflected in the existing manuscripts. Such empirical evidence of the editorial processes is rare and here provides further support for the assumption that the passages that attack the other gods but that also contain special features are very late.

Tetrateuch

According to Martin Noth, there is no evidence of a Deuteronomistic redaction in the Tetrateuch, although some additions may have been made in the style of the Deuteronomists, especially in Exod 23 and 34.[71] On the other hand, other scholars have found evidence for Deuteronomisms, Deuteronomistically influenced passages, or even Deuteronomistic redactions in these books.[72] Considering the widespread use of Deuteronomisms still in the late Second Temple period and the fact that countless editors have edited the Tetrateuch, it would not be surprising to find some Deuteronomisms in these books.[73] Because many parts of the Tetrateuch are later than and dependent

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[69] For example, BUDDE, *Richter* (see n. 66), 52, and C. STEUERNAGEL, *Lehrbuch der Einleitung* (Tübingen: Mohr, 1912), 296.

[70] See also E. ULRICH, "Deuteronomistically Inspired Scribal Insertions into the Developing Biblical Texts: 4QJudg[a] and 4QJer[a]," in *Houses Full of All Good Things: Essays in Memory of Timo Veijola* (ed. J. Pakkala and M. Nissinen; PFES 95; Helsinki: Finnish Exegetical Society; Göttingen: Vandenhoeck & Ruprecht, 2008), 489–506, here 490–494.

[71] M. NOTH, *Überlieferungsgeschichtliche Studien* (Halle: M. Niemeyer, 1943), 13. Similarly, J. VAN SETERS, "The So-Called Deuteronomistic Redaction of the Pentateuch," in *Congress Volume: Leuven, 1989* (ed. J.A. Emerton; Leuven: Brill, 1989), 58–77.

[72] See review by J.C. GERTZ, *Tradition und Redaktion in der Exoduserzählung* (FRLANT 186; Göttingen: Vandenhoeck & Ruprecht, 2000), 16–18. See also VAN SETERS, "So-Called Deuteronomistic Redaction" (see n. 71), 58–59.

[73] As noted by SCHMID, "Deuteronomium" (see n. 4), 195, there are "sprachliche" and "sachliche" Deuteronomisms in the whole Enneateuch.

on Deuteronomy, it is likely that at least some of the late editors were influenced by the Deuteronomistic theology and Deuteronomy. In general, however, detailed studies of parts of these books have not found comprehensive editorial layers that could be closely connected with the Deuteronomists of the so-called Deuteronomistic History.[74] The only exception is the Sinai pericope, which is commonly assumed to contain Deuteronomistic features, additions, and/or redactions.[75] In this paper I will only look at the criticism of the cult and other gods in the Tetrateuch.

The Tetrateuch shows little interest in cult centralization. Many passages in the patriarchal stories of Genesis, for example, seem to be unaware of or ignore it altogether.[76] Some passages even contradict the centralization, especially the short addition in Exod 20:24b, which may be a conscious and late attempt to invalidate it.[77] Passages such as Lev 17 and 23 imply cult centralization, but there is no particular emphasis on this topic. Being dependent on Deut 12, Lev 17 has adopted the idea, but the author may be more concerned about noncultic slaughter taking place (vv. 3–6) than about cultic slaughter in an illegitimate cult place (as in Deut 12). It therefore seems very likely that no section of the Tetrateuch is closely connected with the circles that created the *Urdeuteronomium* and the first edition of 1–2 Kings, where the centralization was the main concern.

The classical attack on the other gods is noticeably missing in the Tetrateuch, with the possible exception of Exod 20:3–5; 23:13b; and 34:11–16 in the Sinai pericope, as well as Gen 35:2–4 and Num 25:1–5. It is a striking fact that אלהים אחרים, the standard term in the criticism of the other gods in many parts of the Hebrew Bible,[78] is only found in Exod 20:3 and 23:13b, both in the Sinai pericope. In fact, even the other forms of criticism of illegitimate

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[74] Such as that of GERTZ, *Tradition und Redaktion in der Exoduserzählung* (see n. 72), 380–388.

[75] Among many others, R. ACHENBACH, "Grundlinien redaktioneller Arbeit in der Sinai-Perikope," in *Das Deuteronomium zwischen Pentateuch* (ed. E. Otto and R. Achenbach; FRLANT 206; Göttingen: Vandenhoeck & Ruprecht, 2004), 56–80.

[76] For example, Gen 22:13; 26:25; 31:54; 33:20; 35:1, 3, 7, 14–15; 46:1.

[77] Thus C. LEVIN, "Das Deuteronomium und der Jahwist," in *Fortschreibungen* (BZAW 316; Berlin: de Gruyter, 2003), 96–110, here 97–100. In fact, one could argue that it would be necessary to say that YHWH will be present in every place where he has his name remembered and the only debate concerns whether one was allowed to sacrifice in one or many locations. In an ancient Near Eastern context one does not need to emphasize this point unless it was disputed. Nevertheless, most scholars assume that Deut 12 is later, e.g., B.M. LEVINSON, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997), 31–43.

[78] The term is most often met in Deut, 1–2 Kgs, and Jer. It is also used five times in Josh 23–Judg 2, in passages that have been discussed above. Its Greek version is found in Bar 1:22, e.g.

cults are rare in the whole Tetrateuch. While these themes recur in Deuteronomy, in the Tetrateuch they are restricted to a couple of short passages, with the exception of the Sinai pericope. There is a conspicuous contrast between the Tetrateuch and Deuteronomy in this respect.

Outside the Sinai pericope, when the content of the cult is criticized in the Tetrateuch, the attack on idols is particularly prominent. For example, Lev 19:4 uses distinct terminology to attack the other gods, but it especially attacks the idols: אל־תפנו אל־האלילים ואלהי מסכה לא תעשו לכם אני יהוה אלהיכם. It is probable that the author was familiar with a later version of the Decalogue that already included the addition of Exod 20:4/Deut 5:8. Instead of using the word אלהים, the author preferred the derogatory אלילים, which in most passages refers to idols.[79] The author may have avoided the word אלהים because the other gods were already regarded as less than gods.

Prohibiting illegitimate cults, Lev 26:1 includes the אלילים as one of the objects that the Israelites should not make:

לא־תעשו לכם אלילם ופסל ומצבה לא־תקימו לכם
ואבן משכית לא תתנו בארצכם להשתחות עליה כי אני יהוה אלהיכם

In a list of penalties for disobedience, Lev 26:30 notes that YHWH will destroy the high places and altars (חמן)[80] as well as place the corpses of the Israelites on their idols (גלולים). The terminology here is clearly different from that of the classical attack on the other gods and already includes the attack on idols:

והשמדתי את־במתיכם והכרתי את־חמניכם
ונתתי את־פגריכם על־פגרי גלוליכם וגעלה נפשי אתכם

Another verse that attacks the other gods is found in Num 33:52. As in the previous examples, the attack on idols is prominent:

והורשתם את־כל־ישבי הארץ מפניכם ואבדתם את כל־משכיתם
ואת כל־צלמי מסכתם תאבדו ואת כל־במתם תשמידו

In Lev 26:30 and Num 33:52, the high places are part of a list of illegitimate objects. Unlike in the older criticism of the high places in 1–2 Kings, where they are essentially a place of sacrifice, the high places are now regarded as a foreign "object" that should be destroyed like the idols. The authors of these verses are evidently writing in a much later setting than the authors and editors of Deuteronomy and 1–2 Kings.

Perhaps the most extensive passage dealing with the illegitimate cults in the Tetrateuch is Exod 32. It is not surprising that this passage also connects

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[79] E.g., in Lev 26:1; Isa 2:8–20 (handmade works of silver and gold); 10:10; 31:7 (of silver and gold). *HALAT* 1.54, s.v. אליל: "Heidengötter, immer geringschätzig als Nichtse, Götzen."

[80] According to *HALAT*, s.v. חמן, it refers to an incense altar.

the worship of the other gods with idol worship. The god or the bull that Aaron makes is essentially a man-made object constructed out of gold (v. 31: ויעשו להם אלהי זהב). The passage emphasizes the bull's material aspect by explicitly describing its construction out of gold (vv. 1–4) and destruction by burning, grinding, and scattering on the water (v. 20). It is thus closely connected with those passages that similarly criticize the idols in the Sinai pericope and Deuteronomy (especially Deut 9–10).

Another similar example that criticizes the making of gods of metal is found in Exod 20:23: לא תעשון אתי אלהי כסף ואלהי זהב לא תעשו לכם. Although some scholars assume that this passage may preserve an old attack on idols,[81] it is more probable that we are dealing with a late addition to the Covenant Code.[82] Verse 22a–b, which is part of the same addition, emphasizes that YHWH is in heaven and thus on a completely different level from the other gods (אתם ראיתם כי מן־השמים דברתי עמכם).

In most cases where the other gods and cults are criticized in the Tetrateuch, the terminology is notably different from that of the classical attack on gods and cults in Deuteronomy and 1–2 Kings (e.g., חמן, צלמי מסכה, and משבית). However, it has some similarities with the attack on idols of these books (e.g., גלולים and מסכה). Most of the authors in the Tetrateuch who deal with the illegitimate cults seem to have moved beyond the classical attack on the other gods and are more related, but only in part, to the attack on idols in Deuteronomy and 1–2 Kings.

The main exceptions to this apparently regular pattern are Exod 20:3–5; 23:13b; and 34:11–16, as well as Gen 35:2–4 and Num 25:1–5. The Sinai pericope contains a heavy concentration of other themes closely related to Deuteronomy,[83] whereas Gen 35:2–4 and Num 25:1–5 stand out in their contexts and contain features that imply that they have a different background from the classical attack on the other gods of Deuteronomy and 1–2 Kings.

In Gen 35:2–4 Jacob orders his family to put aside all their foreign gods, purify themselves, and change their clothing before they go to build the altar in Beth-El as instructed by God (v. 1). We are probably dealing with an iso-

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[81] For example, according to J. SCHARBERT, "Jahwe im frühisraelitischen Recht," in *Gott, der einzige* (ed. E. Haag; QD 104; Freiburg: Herder, 1985), 160–183, here 160, 182–183, the passage is premonarchic.

[82] As noted by many scholars, e.g., LEVIN, "Das Deuteronomium" (see n. 77), 98, Exod 21:1 must begin the Covenant Code, which makes Exod 20:22aβb–26 a later addition. Some scholars have assumed that parts of these verses have been relocated, especially from Exod 23:10–19. J. VAN SETERS, *A Law Book for the Diaspora* (Oxford: Oxford University Press, 2003), 58–60, assumes that Exod 20:22–23 is dependent on Deut 4:12–15, 19, 36, but notes that the "language is not Deuteronomistic." For further discussion on this passage, see PAKKALA, *Intolerant Monolatry* (see n. 12), 110–116.

[83] Especially in Exod 20; 23:10–33; 32; and 34.

lated addition that is not part of a broader redaction of Genesis. It is particularly striking that this is the only passage in Genesis where other gods are a concern. In contrast some passages in Genesis clearly present idols, sacred stones, and sacred trees in a positive light.[84] Although traditionally ascribed to the Elohist (especially vv. 1–5), Gunkel noted that Gen 35:1–8 is "lose zusammengehäuftes 'Geröll.'"[85] Some scholars have argued that these verses contain Deuteronomistic traits,[86] but, for example, the term used for the other gods, אלהי הנכר, is different from the typical אלהים אחרים of Deuteronomy and 1–2 Kings. However, the term is notably the same one used in Josh 24:20, and the use of the verb סור for removing the gods and the setting in Shechem further connects Gen 35:2–4 with Josh 24. Accordingly, Levin has suggested that Gen 35:2–4 was modeled after Josh 24.[87] This implies that we are dealing with a late text that already has a wider composition in view. The idea that the Israelites should purify themselves (והטהרו) and change their clothing after the other gods have been removed may imply Priestly conceptions.

Numbers 25:1–5 is influenced by the classical attack on the other gods,[88] but it shows special features in terminology and content. The connection between intermarriages and worship of the other gods is made in line with Exod 34:14–16 and Deut 7:1–6, which, although not quoted or followed very closely, are probably in the background.[89] The worship of other gods especially is expressed in a distinct way using the verb צמד: צמד לבעל פעור.[90] Moreover, the passage is isolated in its context. It builds on the previous passage in Num 22–24, taking the location Peor from there (23:28), and on the following passage in Num 25:6–18, which condemns mixed marriages. In the older text of vv. 6–18 the main issue is the marriage of a single Israelite with a Midianite. This is then expanded in vv. 1–5 to a general threat posed by the Moabite

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[84] Gen 31, for example, refers to household gods (vv. 19, 30) but does not criticize them. Similarly, the patriarchs are able to erect stones and bury their dead under holy trees without any expansions that would interpret or condemn such conduct.

[85] H. GUNKEL, *Genesis* (HAT; Göttingen: Vandenhoeck & Ruprecht, 1901), 343.

[86] For example, H. BOECKER, *1. Mose 25,12–37,1: Isaak und Jakob* (ZBK 1/3; Zürich: Theologischer Verlag, 1992), 123.

[87] C. LEVIN, *Der Jahwist* (FRLANT 157; Göttingen: Vandenhoeck & Ruprecht, 1993), 261–262. He assumes that Gen 35:2–4 is an addition to v. 1.

[88] Thus partly in ותקראן לעם לזבחי אלהיהן ויאכל העם וישתחוו לאלהיהן and especially in ויחר־אף יהוה בישׂראל.

[89] For example, R. ACHENBACH, *Die Vollendung der Tora* (BZAR 3; Wiesbaden: Harrassowitz, 2003), 427–428.

[90] Referring to the worship of other gods, the verb חמד is used only in this passage and Ps 106:28. Ps 106:28 is directly dependent on Num 25:1–5. Otherwise, the verb is used in 2 Sam 20:8 and Ps 50:19, but with different connotations. The use of the terminology in condemning the mixed marriages also implies that the author is writing in a later context than Deut 7:1–6 (cf. לזנות אל־בנות מואב).

women, who lure the Israelites to sacrifice to their gods. Traditionally it has been assumed that vv. 1–5 were composed of parts of J and E, whereas vv. 6–18 are ascribed to P,[91] but early research already noted that vv. 6–18 may form the *Grundschrift*, vv. 1–5 being an addition.[92] The latter view is more probable because it expands the view and the gravity of the sin. After vv. 1–5, the case described in vv. 6–18 seems insignificant. We are probably dealing with a very late passage that is dependent on other late texts in the Tetrateuch and Deuteronomy.[93]

As for the passages in the Sinai pericope, Exod 23:13b is a short prohibition against invoking the names of foreign gods. It does not have an exact parallel in the Hebrew Bible, but it may be connected more to the attack on other gods in Deuteronomy and 1–2 Kings than in the Tetrateuch. The verse is probably a separate addition to its context, which otherwise deals with the cultic calendar.[94] It is usually assumed to be influenced by Deuteronomistic thinking.[95]

The Deuteronomisms of Exod 34:10–26 are evident and generally acknowledged. Many scholars have argued that Exod 34:10–26 preserves the

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[91] Thus since early scholarship, e.g., B. BAENTSCH, *Exodus–Leviticus–Numeri* (HAT; Göttingen: Vandenhoeck & Ruprecht, 1903), 622–623; H. HOLZINGER, *Numeri* (KHC; Tübingen: Mohr, 1903), 126–127; G. BUCHANAN GRAY, *Numbers* (ICC; New York: Scribner, 1903), 380–383. It is evident that Num 25:1–5 was not written by one hand only, but early research assumed it to be an amalgamation of J and E.

[92] Thus A. KNOBEL, *Numeri, Deuteronomium und Josua* (Leipzig: Hirzel, 1861). ACHENBACH, *Vollendung* (see n. 89), 434–442, regards vv. 6–18 as a *Fortschreibung* of vv. 1–5. The problem with Achenbach's suggestion is that vv. 6–18 present the marriage of one person as a grave problem, while the previous text in vv. 1–5 portrays a situation where very many Israelites had taken part in "prostituting" with other nations. It is difficult to see how vv. 6–18, presenting a much less severe case, could be an addition to vv. 1–5. The opposite direction of development is more probable, for the marriage of one person to a foreigner in vv. 6–18 could easily stimulate an addition that accused the Israelites in general of "prostituting" with other peoples. It should further be noted that vv. 6–18 do not see the other gods as a problem but only the mixed marriages. In this respect, vv. 1–5 could also be seen as a *Fortschreibung* where the editor wanted to warn about the dangers to which the mixed marriages could eventually lead.

[93] According to ACHENBACH, *Vollendung* (see n. 89), 425–434, the passage belongs to what he calls the *Hexateuchredaktion*.

[94] Moreover, except v. 13bβ, the verse uses the plural form of address, while the context uses singular. There has been considerable discussion about whether v. 13 concludes a section or starts a new one. For details, see PAKKALA, *Intolerant Monolatry* (see n. 12), 125–127. According to L. SCHWIENHORST-SCHÖNBERGER, *Das Bundesbuch (Ex 20,22–23,33)* (BZAW 188; Berlin: de Gruyter, 1990), 398–400, Exod 20:22–23 and 23:13 were added by the same late editor.

[95] For example, L. PERLITT, *Bundestheologie im Alten Testament* (WMANT 36; Neukirchen-Vluyn: Neukirchener, 1969), 84.

so-called Cultic Decalogue, which would have functioned as the early model for the Decalogue in Exod 20 and Deut 5.[96] For example, Halbe has suggested that Exod 34:11b–15a is an early vestige from premonarchic times.[97] Exodus 34:14 would therefore represent an early form of the first commandment.[98] It lies beyond the parameters of this paper to solve the complicated interrelationships of this passage with Deuteronomy. However, I have previously argued that the passage is probably dependent on a late stage of Deuteronomy,[99] a position that has been advocated by many other scholars as well. For example, Perlitt has suggested that Exod 34:10–26 is a Deuteronomic creation at the earliest.[100] Albrecht Alt noted that Exod 34:10–26 is a Deuteronomistic "Mischgebilde."[101] Achenbach has suggested that the passage is late or post-Deuteronomistic, dependent on Deut 7:1–6.[102] From the perspective of the approach taken in this paper, it would seem that Exod 34:10–26 is more closely related to Deuteronomy and 1–2 Kings than to the rest of the Tetrateuch, with the exception of the Decalogue in Exod 20.

There are many divergent theories on the relationship between the two Decalogues in Exod 20 and Deut 5. For our purposes it is important to note that the first commandment is closely related to the classical attack on the other gods that we find in Deuteronomy and 1–2 Kings. In this respect, the Decalogue is more at home in Deuteronomy than in Exodus. Its author evidently regarded the other gods to be the most important theme, as the prohibition was placed as the first of the commandments. Its terminology is also similar to that of the classical attack on the other gods.[103] Deuteronomy 6–13, the chapters following the Decalogue in Deuteronomy, deal extensively with this

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[96] For example, P. HEINISCH, *Das Buch Exodus* (HSAT I/2; Bonn: P. Hanstein, 1934), 242–243.

[97] J. HALBE, *Das Privilegrecht Jahwes Ex 34, 10–26* (FRLANT 114; Göttingen: Vandenhoeck & Ruprecht, 1975), 314–319, 340. Earlier research, e.g., PUUKKO, *Das Deuteronomium* (see n. 27), 36–37, also found an older form of the Decalogue in these verses. Thus F.L. HOSSFELD, *Der Dekalog: Seine späten Fassungen, die originale Komposition und seine Vorstufen* (OBO 45; Freiburg: Universitätsverlag; Göttingen: Vandenhoeck & Ruprecht, 1982), 281–283, who has suggested that the entire Exod 34:12–26 was the model of the Decalogue.

[98] Cf. Exod 20:3, 5: לא יהיה־לך אלהים אחרים על־פני […] כי אנכי […] לא־תשתחוה להם and Exod 34:14: כי לא תשתחוה לאל אחר כי יהוה קנא שמו אל קנא הוא […] אל קנא.

[99] PAKKALA, *Intolerant Monolatry* (see n. 12), 129–137.

[100] PERLITT, *Bundestheologie* (see n. 95), 216–228.

[101] A. ALT, *Die Ursprünge des israelitischen Rechts* (vol. 1 of *Kleine Schriften zur Geschichte des Volkes Israel*; Munich: Beck, 1953), 317.

[102] R. ACHENBACH, *Israel zwischen Verheißung und Gebot* (EHS.T 422; Frankfurt: Peter Lang, 1991), 258–269, 275–283, 287.

[103] Especially עבד אלהים אחרים והשתחוה להם in different forms (Deut 8:19; 11:16; 17:3; 29:25; 30:17).

theme. This suggests that the author of the first commandment, and thus of the Decalogue, was close to the circles that attacked the other gods and that left an imprint on much of the redaction history of Deuteronomy and 1–2 Kings. In comparison, the Tetrateuch (besides the Sinai pericope) does not develop and explore the different aspects of the first commandment (cf. Deut 6–13). Unlike in Deuteronomy, the first commandment did not have much influence on the *Fortschreibung* of the rest of the Tetrateuch.[104] Leaving open the complicated question of the relationship between the Sinai pericope and Deuteronomy, the Decalogue further connects the Sinai pericope with Deuteronomy and distances it from the rest of the Tetrateuch.

This brief overview of passages dealing with the criticism of illegitimate cults and gods in the Tetrateuch suggests the following conclusion. It seems unlikely that most of the Tetrateuch was transmitted and edited by the same scribal circles that were active during the early development of Deuteronomy and 1–2 Kings, when the location of the cult and its content were criticized. With the possible exception of the Sinai pericope, the Tetrateuch was not part of the same composition or transmitted together while these editors were active.[105] When we consider the attack on the illegitimate cults and gods, we receive the impression that the Sinai pericope is isolated in its present context in Exodus. It has been edited by scribes whose one main interest was to attack the illegitimate cults. This suggests that the relationship between the Sinai pericope and Deuteronomy is closer than that of the Sinai pericope and the rest

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[104] According to LEVIN, "Der Degalog am Sinai," in *Fortschreibungen* (see n. 77), 60–80, here 67–78, the Decalogue in Exod 20 forms the core of the development of the Sinai pericope, but he also assumes that it was the core of the whole narrative in Exod 19–Num 10. It is possible that the *Fortschreibung* of Exod 19–Num 10 took place in a very different and later context when the concerns about the other gods had faded. On the other hand, many scholars have assumed that the Decalogue is a separate addition to its present context; e.g., STEUERNAGEL, *Lehrbuch* (see n. 69), 154; HOSSFELD, *Der Dekalog* (see n. 97), 161–164.

[105] J. VAN SETERS, "The Deuteronomistic Redaction of the Pentateuch: The Case against It," in *Deuteronomy and Deuteronomic Literature* (ed. J. Lust and M. Vervenne; BETL 133; Leuven: Leuven University/Peeters, 1997), 301–319, has rightly argued against the Deuteronomistic redaction of the Tetrateuch. However, he has extended his argument to include the Sinai pericope as well – see J. VAN SETERS, "Is There Evidence of a Dtr Redaction in the Sinai Pericope (Exodus 19–24, 32–34)?" in *Those Elusive Deuteronomists* (ed. L. Schearing and S. McKenzie; JSOTSup 268; Sheffield: Sheffield Academic Press, 1999), 161–170 – which is manifestly immersed in "Deuteronomistic" language, theology, and themes. He assumes that they "are all the work of J, and therefore post-D, so a dtr redactor is not necessary." This is of course a possibility, but it would be difficult to accept the idea that the Sinai pericope was the work of one later author. At least one would have to assume that there were successive late authors influenced by Deut, and in any case a closer connection with the editors of Deut may be more probable. This question may have to be left for further investigation.

of the Tetrateuch. It implies that the Sinai pericope was transmitted in the same circles as Deuteronomy and 1–2 Kings before the rest of the Tetrateuch was added. This connection was created only after the interest in the cult centralization had receded in Deuteronomy and 1–2 Kings.

Summary

When we look at the conceptions toward the other gods, the redaction histories of Deuteronomy and 1–2 Kings develop in parallel steps. Successive editors made similar theological changes to both compositions. This implies that Deuteronomy and 1–2 Kings were transmitted in the same editorial circles or were otherwise closely related from their early development onward.

The same cannot be said of Joshua, Judges, and 1–2 Samuel. The cumulative impact of different considerations, vocabulary, content, and dependence on a late version of Deuteronomy suggest that the same early editorial development is missing in these books. The early development of conceptions about the cult, its location, or content is reflected in Deuteronomy and 1–2 Kings, whereas Joshua, Judges, and 1–2 Samuel adopted the same themes only later and in a developed form. The idea of cult centralization and the classical attack on the other gods is missing in Joshua–2 Samuel. The main exception to this apparent rule is Josh 22–Judg 2, which is familiar with the cult centralization (in Josh 22) and which is closely related to the classical attacks on the other gods and illegitimate cults (Josh 23–24; Judg 2). It has been suggested here that these chapters belong to a later editorial stage that attempts to tie Joshua to the Pentateuch by quoting and alluding to its various parts and repeating some of its most prominent theological themes. This would explain the heavy concentration of themes in these chapters otherwise missing in Joshua–2 Samuel. In other words, even if Josh 22–24 (and Judg 2) are apparently thematically connected with Deuteronomy and 1–2 Kings, the background of these chapters may be different. A more detailed analysis of their relationship with the other books of the Enneateuch would be necessary, but it lies beyond the scope of this paper.

It is probable that Joshua–2 Samuel had a different early history and context than Deuteronomy and 1–2 Kings.[106] From a redaction-historical perspec-

[106] Approaching the issue from different perspectives, other scholars have recently come to similar conclusions. For example, comparing 1–2 Sam with 1–2 Kgs, HUTZLI, *Hanna und Samuel* (see n. 49), 245–265, assumes that these books were not originally part of the same composition. He has suggested that 1–2 Sam may have been written down only after the formation of 1–2 Kgs. Hutzli appeals, for example, to the differing pictures of David in 1–2 Sam and 1–2 Kgs. The latter portrays him in a very positive light, which does not correspond to 1–

tive, these books may not have been part of the same composition, be it the Deuteronomistic History or something else, during the activity of editors who represent the classical attack on the other gods. More probably, they were combined into the same composition or transmitted by the same scribal circles later, when the conceptions about the other gods were already changing to emphasize their material aspect and their nonexistence.

With the exception of the Sinai pericope, the Tetrateuch does not share its early redaction history with Deuteronomy, at least as far as the attack on the other gods and cults is concerned. The Tetrateuch has adopted only a late stage of this attack and often emphasizes the material aspect of the other gods.[107] This implies that the Tetrateuch was either created and/or combined with Deuteronomy (and perhaps also with the Sinai pericope) at a late stage, when the classical phase of the attack on other gods had already passed. Some passages do criticize the other gods (Gen 35:2–4 and Num 25:1–5), but their distinct features reveal that they derive from a later stage. In any case, one would expect to find some late passages that were influenced by the attack on the other gods of Deuteronomy. In view of the considerable influence of the theme on many other books of the Hebrew Bible and beyond (e.g., Jer, Josh, Amos, Hos, Bar), their rarity in the Tetrateuch is, in fact, striking.

I do not know all the implications of these conclusions for the different theories on the battlefield, but it would be difficult to assume that compositions such as the Deuteronomistic History, Pentateuch, Hexateuch, or Enneateuch existed before and during the time of the classical attack on other gods. The editors behind the attack seem only to have been familiar with the early version of Deuteronomy and 1–2 Kings (and possibly with the Sinai pericope).

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2 Sam (*Hanna und Samuel*, 239–242). He also notes that the judgment formulas of 1–2 Kgs are missing in 1–2 Sam (242–243). The main problem with Hutzli's argumentation is that it is heavily dependent on the unlikely assumption that Deut and 1–2 Kgs were written before 587 B.C.E. (230–231, 243–245). J. VAN SETERS, "The Court History and DtrH," in *Die sogenannte Thronfolgegeschichte Davids* (ed. T. Römer and A. de Pury; OBO 176; Freiburg: Universitätsverlag; Göttingen: Vandenhoeck & Ruprecht, 2000), 70–93, has come to a somewhat similar conclusion and argued that the court history of David is a later addition to the history writer's account. On the other hand, RÖMER, *So-Called Deuteronomistic History* (see n. 37), 90–91, has noted the lack of Deuteronomistic features in Judg.

[107] As in the Former Prophets, isolated additions with incipient monotheistic conceptions can also be found in the Tetrateuch (e.g., Exod 15:11; 18:11).

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